FEDERAL REGISTER

VOLUME 8 NUMBER 134

Washington, Thursday, July 8, 1943

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

RESTORATION OF PERSONS HAVING REEMPLOYMENT RIGHTS

§ 18.13 *Restoration of persons having reemployment rights*—(a) *Persons discharged from the military or naval service.* Any civilian employee of the executive branch of the Government who has left or leaves his position (other than a temporary position) in order to perform active military or naval service for the United States, and (1) is honorably discharged from active military or naval service, and (2) is still qualified to perform the duties of his position, and (3) makes application for reemployment in such position within forty days after his discharge from active military or naval service, shall be entitled to the following reemployment benefits:

(1) He shall be reemployed in any position to which, according to the records of the agency, or in its judgment, he would have been promoted if he had not been absent to perform military or naval service;

(2) If such position does not exist, he shall be restored to the position which he held at the time of his entry into the military or naval service;

(3) If neither of the positions referred to in subparagraphs (1) or (2) exists, he shall be restored to a position comparable as to seniority, status, and pay with the position which he held at the time of his entry into the military or naval service.

This paragraph shall apply to employees who were originally appointed for the duration of the war, or for the duration of the war and six months thereafter: *Provided, however,* That such employees shall not be required to be retained in employment beyond the limitation placed upon their original appointments: *Provided further,* That whenever a permanent employee and any other employee have reemployment rights in the same position, the permanent employee shall be entitled to such position, and the other employee shall be entitled to a position of like status and pay.

Any person restored pursuant to this paragraph shall be restored without loss of seniority rights or other rights dependent upon length of service.

(b) *Time limit.* Any person who is entitled to reemployment in the Government service under paragraph (a) of this section, or under any provision of § 18.9 of this chapter, shall be reemployed as provided in these regulations within thirty days of his application for reemployment.

(E.O. 9063, 7 F.R. 1075; E.O. 9243, 7 F.R. 7213; Directive No. X, War Manpower Commission, 7 F.R. 7298)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

JULY 5, 1943.

[F. R. Doc. 43-10912; Filed, July 6, 1943; 4:45 p. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[T.D. 50891]

PART 351—IMPORTATION OF PLANTS OR PLANT PRODUCTS BY MAIL

JUNE 30, 1943.

Revised regulations governing the joint treatment of such importations under the Plant Quarantine Act by plant quarantine inspectors, customs officers, and postmasters—T.D. 48181 superseded.

§ 351.1 *Joint treatment generally.* Under various orders, quarantines, and regulations promulgated by the Secretary of Agriculture under authority of the Plant Quarantine Act of August 20, 1912 (37 Stat. 315, 7 U.S.C. 154), as amended, the entry into the United States of certain plants and plant products is prohibited or restricted. (See

(Continued on next page)

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FEDERAL REGISTER

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Part II of the United States Official Postal Guide, July 1941, section 57, page 36, and also articles 394 and 578 to 584, inclusive, of the Customs Regulations of 1937, as amended). As an aid in enforcing these or subsequent orders, quarantines, and regulations, provisions have been made by the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture, concurrently with the Postal and Customs Services, to insure closer inspection of such importations.

Sec.
351.1 Joint treatment generally.
351.2 Location of inspectors.
351.3 Procedure on arrival.
351.4 Records.
351.5 Return or destruction.
351.6 Packages in closed mail dispatches.

AUTHORITY: §§ 351.1 to 351.6, inclusive, issued under Sec. 7, 37 Stat. 317, R.S. 161; 7 U.S.C. 160, 5 U.S.C. 22.

§ 351.2 *Location of inspectors.* Inspectors of the Bureau of Entomology and Plant Quarantine and customs officers are stationed at the following post offices:

Atlanta, Ga.	Mobile, Ala.
Baltimore, Md.	Naco, Ariz.
Blaine, Wash.	New Orleans, La.
Boston, Mass.	Newport News, Va.
Brownsville, Tex.	New York, N. Y.
Buffalo, N. Y.	Nogales, Ariz.
Calexico, Calif.	Norfolk, Va.
Charleston, S. C.	Pensacola, Fla.
Chicago, Ill.	Philadelphia, Pa.
Del Rio, Tex.	Port Arthur, Tex.
Detroit, Mich.	Port Everglades, Fla.
Douglas, Ariz.	Portland, Oreg.
Eagle Pass, Tex.	Presidio, Tex.
El Paso, Tex.	Roma, Tex.
Galveston, Tex.	St. Albans, Vt.
Hidalgo, Tex.	St. Paul, Minn.
Honolulu, T. H.	San Diego, Calif.
Houston, Tex.	San Juan, P. R.
Jacksonville, Fla.	San Francisco, Calif.
Key West, Fla.	San Ysidro, Calif.
Laredo, Tex.	Savannah, Ga.
Los Angeles, Calif. (including San Pedro)	Seattle, Wash.
	Tampa, Fla.
	Washington, D. C.
Miami, Fla.	West Palm Beach, Fla.

§ 351.3 *Procedure on arrival.* All parcel post or other mail packages from foreign countries which, either from examination or external evidence, are found to contain plants or plant products shall be dispatched for submission, or actually submitted, to the plant-quarantine inspector (article 583 (e), Customs Regulations of 1937) at the most accessible place. The inspector shall pass upon the contents under the plant quarantine act and with the cooperation of the customs and postal officers either (1) release the package from further plant-quarantine examination and indorse his decision thereon; or (2) divert it to Washington, D. C., Hoboken, N. J., San Francisco, Calif., or Seattle, Wash., for disposition. If so diverted, the plant-quarantine inspector shall attach to the package the yellow-and-green special mailing tag addressed to the proper quarantine station. If the package is diverted, it shall be accompanied by customs card Form 3511 and transmitted in accordance with the appropriate provisions of article 372 (a) (JR 12a) of the Customs Regulations of 1937 (19 CFR 7.9 (a)) Envelopes containing customs card Form 3511 addresed to the collector of customs, New York, N. Y., shall contain a notation that the material is to be referred to the Bureau of Entomology and Plant Quarantine, Hoboken, N. J.

§ 351.4 *Records.* The customs officers at Washington, D. C., San Francisco, Calif., Seattle, Wash., and New York, N. Y., shall keep a record of such packages as may be delivered to representatives of the Department of Agriculture, and upon the return thereof shall prepare a mail entry to accompany the dutiable package and deliver it to the postmaster for delivery or onward dis-

patch or in appropriate cases subject the shipment to formal customs entry procedure.

§ 351.5 *Return or destruction.* Where the plant-quarantine inspector requires the entire shipment to be returned to the country of origin as a prohibited importation (in which event he shall indorse his action thereon) and delivers the shipment to the collector of customs, the collector shall in turn deliver it to the postmaster for dispatch to the country of origin. If, upon examination, the plant material is deemed dangerous to plant life, the collector of customs shall permit the plant-quarantine inspector to destroy immediately both the container and its contents. In either case the plant-quarantine inspector shall notify the addressee of the action taken and the reason therefor. If the objectionable plant material forms only a portion of the contents of the mail package and in the judgment of the inspector the package can safely be delivered to the addressee, after removing and destroying the objectionable material, such procedure is authorized. In the latter case the inspector shall place in the package a memorandum (B. E. P. Q. Form 387) informing the addressee of the action taken by the inspector and describing the matter which has been seized and destroyed and the reasons therefor. (See article 583 (d), Customs Regulations of 1937.) Mail packages received at San Juan, P. R., and Honolulu, T. H., shall be accorded treatment as herein prescribed at those two ports and not diverted to Washington, D. C., Hoboken, N. J., San Francisco, Calif., or Seattle, Wash.

§ 351.6 *Packages in closed mail dispatches.* The foregoing instructions shall be followed in the treatment of packages containing plants or plant products received in closed mail dispatches made up for transmission directly to a post office located at a customs port at which no plant-quarantine inspector is stationed. Such packages (accompanied by customs card Form 3511) shall be forwarded by the collector of customs through the postmaster to the most accessible post office listed in § 351.2 of these regulations for apropriate treatment in the manner hereinbefore provided for. This procedure shall also be followed in respect of such packages which are forwarded to unlisted post offices from the post office of original receipt without having received plant-quarantine examination. Packages discovered at post offices where no customs officer is located shall be forwarded by the postmaster under his official penalty envelope addressed to the collector of customs at the most accessible post office listed for appropriate treatment as prescribed herein.

The provisions of T.D. 48181 (7 CFR 351.1 to 351.6, inclusive) are superseded by the foregoing §§ 351.1 to 351.6, inclusive.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.
CLAUDE R. WICKARD,
Secretary of Agriculture.
FRANK C. WALKER,
Postmaster General.

NOVEMBER 28, 1942.

[F. R. Doc. 43-10935; Filed, July 7, 1943; 11:55 a. m.]

Chapter XI—War Food Administration

[FDO 61-1, Amdt. 1]

PART 1410—LIVESTOCK AND MEATS

ESTABLISHMENT OF QUOTAS

Food Distribution Order No. 61-1 (8 F.R. 9112), § 1410.14, issued by the Director of Food Distribution on July 1, 1943, is amended as follows:

First: By inserting, before the word "slaughterer" in paragraphs (c) (2) and (e) thereof, the word "commercial".

Second: By adding at the end of (d) thereof the following: *"Provided, however,* That any commercial slaughterer located in the States of California, Oregon, and Washington may deliver, during the month of July 1943, in addition to his quota and in addition to the percentage of such quota allowed to be delivered in July under this paragraph, an amount of lamb and mutton equivalent to 7 percent of such commercial slaughterer's quota base."

This order shall become effective at 12:01 a. m., e. w. t., July 6, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; F.D.O. 61, 8 F.R. 9108)

Issued this 6th day of July 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-10905; Filed, July 6, 1943; 3:38 p. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—War Food Administration, Packers and Stockyards [1]

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

BOWMAN CATTLE CO., MAQUOKETA, IOWA

It has been ascertained that the H. L. Bowman Cattle Company stockyards, Maquoketa, Iowa, posted on August 16, 1940, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, is now owned and operated by H. L. Bowman, Jr., and Robert B. Dorsey, partners, doing business as the Bowman Cattle Co., and that the name of the yard is now the Bowman Cattle Co. Therefore, notice of such facts is given to its owners and to the public, and the name of the stockyard changed to the Bowman Cattle Co. on the list of posted stockyards in 9 CFR 204.1.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C., this 6th day of July 1943.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 43-10903; Filed, July 6, 1943; 3:37 p. m.]

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

PHILLIPS COMMISSION COMPANY, BIRMINGHAM, ALABAMA

It has been ascertained that the Union Stock Yards, Birmingham, Alabama, posted on January 10, 1928, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, is now owned and operated by J. P. Phillips, Jr., and J. R. Nesbitt, doing business as the Phillips Commission Company, and that the name of the yard is now the Phillips Commission Company. Therefore, notice of such facts is given to its owners and to the public, and the name of the stockyard changed to the Phillips Commission Company on the list of posted stockyards in 9 CFR 204.1.

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[1] This chapter formerly designated as Food Distribution Administration.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C., this 6th day of July 1943.

THOMAS J. FLAVIN
Assistant to the War Food Administrator.

[F. R. Doc. 43-10904; Filed, July 6, 1943; 3:37 p. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[General License 86]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO.

BLOCKED LIFE INSURANCE POLICIES

JULY 7, 1943.

General License No. 86 under Executive Order No. 8389, as amended, Executive Order No. 9193, and section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 131.86 *General License No. 86.* (a) A general license is hereby granted authorizing the following transactions:

(1) The payment of premiums and interest on policy loans with respect to any blocked life insurance policy;

(2) The issuance, servicing or transfer of any blocked life insurance policy in which the only blocked interest is that of one or more of the following:

(i) A member of the armed forces of the United States or a person accompanying such forces (including personnel of the American Red Cross, United Service Organizations and similar organizations);

(ii) An officer or employee of the United States; or

(iii) A citizen of the United States resident in a blocked country not within enemy territory; and

(3) The issuance, servicing or transfer of any blocked life insurance policy in which the only blocked interest (other than that of a person specified in (a) (2) above) is that of a beneficiary:

Provided, however, That this paragraph does not authorize (i) any payment to the insurer from any blocked account in which an enemy national (other than a person specified in (a) (2) above) has an interest, or from any other blocked account except a blocked account of the insured or beneficiary, or (ii) any payment by the insurer to a national of a blocked country unless payment is made by deposit in a blocked account in a domestic bank in the name of the national who is the ultimate beneficiary thereof.

(b) Notwithstanding the provisions of General Ruling No. 11, the transactions authorized by paragraph (a) (2) above may be effected even though they involve a communication from a person specified in paragraph (a) (2) (i) or (a) (2) (ii) above while such person is within enemy territory.

(c) This general license further authorizes the application, in accordance with the provisions of the policy or the established practice of the insurer, of the dividends, cash surrender value, or loan value, of any blocked life insurance policy for the purpose of:

(1) Paying premiums;

(2) Paying policy loans and interest thereon;

(3) Establishing paid-up insurance; or

(4) Accumulating such dividends or values to the credit of the policy on the books of the insurer.

(d) As used in this general license:

(1) The term "blocked life insurance policy" shall mean any life insurance policy or annuity contract, or contract supplementary thereto, in which there is a blocked interest.

(2) Any interest of a national of a blocked country shall be deemed to be a "blocked interest".

(3) The term "servicing" shall mean the following transactions with respect to any blocked life insurance policy:

(i) The payment of premiums, the payment of loan interest, and the repayment of policy loans;

(ii) The effecting by a life insurance company or other insurer of loans to an insured;

(iii) The effecting on behalf of an insured of surrenders, conversions, modifications, and reinstatements; and

(iv) The exercise or election by an insured of nonforfeiture options, optional modes of settlement, optional disposition of dividends, and other policy options and privileges not involving payment by the insurer.

(4) The term "transfer" shall mean the change of beneficiary, or the assignment or pledge of the interest of an insured in any blocked life insurance policy subsequent to the issuance thereof.

(e) This general license shall not be deemed to authorize any transaction with respect to any blocked life insurance policy issued by a life insurance company or other insurer which is a national of a blocked country or which is not doing business or effecting insurance in the United States.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Public No. 354, 77th Cong., 55 Stat. 838, E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH E. PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-10936; Filed, July 7, 1943; 11:57 a. m.]

[General Ruling 5A]

APPENDIX A—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

REGULATIONS RELATING TO CERTAIN IMPORTATIONS AND EXPORTATIONS OF CHECKS, DRAFTS, AND OTHER FINANCIAL INSTRUMENTS

JULY 7, 1943.

General ruling No. 5A under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading With the Enemy Act, as amended by the first war powers act, 1941, relating to foreign funds control.

1. *Prohibition with respect to importation and exportation of and dealings in checks, drafts, etc.* The following transactions are prohibited after the effective date of this general ruling unless authorized by a license or other authorization of the Secretary of the Treasury expressly referring to this general ruling:

(a) The sending, mailing, exporting, or otherwise taking of any check, draft, bill of exchange, promissory note, security, or currency from the United States, directly or indirectly, to any blocked country (with the exception of China and members of the generally licensed trade area);

(b) The sending, mailing, importing, or otherwise bringing into the United States from any foreign country of any check, draft, bill of exchange, or promissory note which has been within, or which there is reasonable cause to believe has been

within, any blocked country (with the exception of China and members of the generally licensed trade area);

(c) The presentation, endorsement, acceptance, collection, payment, transfer, or protest of, or any other dealing in or with respect to, any instrument to which the prohibitions of paragraph 1 (b) hereof apply and which is sent, mailed, imported, or otherwise brought into the United States on or after August 25, 1943.

2. *Delivery of imported checks, drafts, etc., to Federal Reserve Bank of New York.* Any person who, after the effective date of this general ruling, receives any check, draft, bill of exchange, or promissory note which has been within, or which there is reasonable cause to believe has been within, any blocked country (with the exception of China and members of the generally licensed trade area) shall within five days after receipt thereof forward such instrument to the Federal Reserve Bank of New York, accompanied by a statement in triplicate setting forth:

(a) His name and address;

(b) A complete description of the instrument;

(c) The name and address of the person from whom he received the instrument; and

(d) The names of any blocked countries in which the instrument has been, or in which there is reasonable cause to believe it has been.

The Federal Reserve Bank of New York will act only as fiscal agent of the United States hereunder and shall receive and hold all such instruments as such fiscal agent, subject to the further order of the Secretary of the Treasury. Applications for the release of any such instruments may be filed in the manner prescribed in § 130.3 of the regulations, except that the place for filing applications shall be the Federal Reserve Bank of New York.

3. *Reports on arrival and departure re checks, drafts, etc.* (a) Any individual entering the United States after the effective date of this general ruling from any foreign country shall report and surrender to the collector of customs or his representative at the port of entry, before the examination of his baggage or effects has begun (or, if his baggage is not subject to examination, before customs clearance), every check, draft, bill of exchange, and promissory note carried on his person or in his baggage or effects which has been within, or which there is reasonable cause to believe has been within, any blocked country (with the exception of China and members of the generally licensed trade area). Such report shall be made in duplicate on Form FFC–160,[1] which may be obtained from the collector of customs or his representative at the port of entry.

(b) Any individual departing from the United States after the effective date of this general ruling shall report to the collector of customs or his representative at the port of exit, before customs examination has begun (or, if he is not subject to customs examination, before customs clearance), (i) all currency and (ii) every check, draft, bill of exchange, promissory note, and security carried on his person or in his baggage or effects which is destined for, or which there is reasonable cause to believe is destined for, directly or indirectly, any blocked country (with the exception of China and members of the generally licensed trade area). Such report shall be made in duplicate on Form FFC–161,[1] which may be obtained from the collector of customs or his representative at the port of exit.

4. *Exceptions.* The foregoing provisions shall not be deemed to apply to the following instruments, unless such instruments have been within, or there is reasonable cause to believe that they have been within, enemy territory, or unless such instruments are destined for, or there is reasonable cause to believe that they are destined for, enemy territory, directly or indirectly:

(a) Non-negotiable bank payment orders;

(b) (i) Incoming travelers checks;

(ii) Outgoing travelers checks which are carried by persons departing from the United States for blocked countries and which are issued in the name of the person carrying them;

(c) Outgoing checks drawn on the Treasurer of the United States which are carried by persons in the service of the United States Government and which are issued in the name of the person carrying them;

(d) Outgoing currency valued at $50 or less which is carried for traveling expenses by persons departing from the United States for blocked countries;

(e) Incoming drafts or bills of exchange drawn under letters of credit;

(f) Incoming drafts or bills of exchange drawn on importers in the Western Hemisphere in connection with the importation of goods, wares, or merchandise into the Western Hemisphere;

(g) Incoming checks, drafts, bills of exchange, or warrants drawn on the Secretary of State of the United States, the Secretary of Navy of the United States, or the Treasurer of the United States.

5. *Transactions not authorized.* This general ruling shall not be deemed to authorize any transaction prohibited by the Order or by any regulation, ruling, or instruction issued by the Secretary of the Treasury pursuant to sections 3 (a) or 5 (b) of the Trading with the Enemy Act, as amended.

6. *Definitions.* (a) The term "member" of the generally licensed trade area as used herein shall have the meaning prescribed in General License No. 53, as amended.

(b) The term "enemy territory" as used herein shall have the meaning prescribed in General Ruling No. 11, as amended.

7. *Effective date.* The provisions hereof shall take effect August 25, 1943, with the exception of paragraphs 1 (a) and 3 (b) which shall be effective on the date of issuance of this general ruling.

(Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Public No. 354, 77th Cong., 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941; E.O. 8832, July 26, 1941; E.O. 8963, December 9, 1941, and E.O. 8998, December 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43–10937; Filed, July 7, 1943; 11:57 a. m.]

[1] Filed as part of the original document.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 7, as Amended July 6, 1943]

§ 944.27 *Priorities Regulation No. 7: Signature of endorsements or certifications.* (a) Whenever an order or regulation states that a purchase order or delivery order (or a document referring to it) must carry an endorsement or

certification, the endorsement or certification must be signed by the party placing the order or by a responsible individual who is duly authorized to sign for that party. The signature must be either by hand or in the form of a rubber stamp or other facsimile reproduction of a handwritten signature.

(b) If a facsimile signature is used, the following requirements must be observed: The individual whose facsimile signature is used, or another responsible individual who has been duly authorized by him to act for him, must give his approval each time the facsimile signature is put on an endorsement or certification. This approval must be shown each time by a written record signed or initialed by the individual who approves the use of the facsimile. A single record may refer to several purchase or delivery orders as to which the use of the facsimile signature has been approved at the same time, but each order must be separately shown on the record. The record need not be sent out with the order but must be kept on file with it for at least two years for inspection by representatives of the War Production Board.

(c) The party who places the order, the individual whose signature is used, and the individual who approves the use of the signature will each be considered to be making a representation to the War Production Board that the statements contained in the endorsement or certification are true to the best of his knowledge and belief, subject to criminal penalties for misrepresentation.

(d) The provisions of this regulation supersede any inconsistent provisions in any regulation or order issued before July 6, 1943, regarding the way in which endorsements or signatures are to be signed.

Issued this 6th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-10887; Filed, July 6, 1943; 12:42 p. m.]

PART 965—IRON AND STEEL SCRAP

[Supplementary Order M-24-c, as Amended July 6, 1943]

ALLOY SCRAP SEGREGATION

Section 965.4 *Supplementary Order M-24-c* is hereby amended to read as follows, effective August 1, 1943:

§ 965.4 *Supplementary Order M-24-c*—(a) *Definition.* For the purpose of this order, "alloy scrap" means scrap consisting of any of the alloy irons or alloy steels listed in Schedule A hereto.

(b) *Segregation of alloy scrap.* Each person who produces in any calendar month a total of 5 tons or more of alloy scrap of the types described in Groups 1–9 inclusive and Groups 21–25 inclusive of Schedule A, or a total of 1 ton or more of alloy scrap of the types described in Groups 10–20 inclusive and Group 26 of Schedule A, shall segregate such scrap into the groups shown in Schedule A.

(c) *Mingling of segregated scrap prohibited.* No person shall (except in melting alloy iron or alloy steel) mingle alloy scrap segregated in accordance with paragraph (b) with scrap which is unclassified or in a different group, nor ship or deliver such alloy scrap without clearly identifying the group to which it belongs.

(d) *Use of alloy scrap in carbon steel prohibited.* No person shall melt alloy scrap in any of the groups described in Schedule A except in the production of alloy iron or alloy steel.

Issued this 6th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Column 1 scrap groups	Column 2 description	Column 3 examples of steels in scrap group (see note)
	Wrought and Cast Constructional Alloy Steels	
1	Nickel Type (Nickel 1-5.25% inclusive).	2100, 2300, 2500.
2	Nickel-Chromium Type (Nickel 1-5.25% inclusive).	3100, 3200, 3300, 3400.
3	Nickel-Molybdenum Type (Nickel 1-5.25% inclusive).	4600, 4800.
4	Chromium and Chromium-Vanadium Types (Chromium 0.70-1.75% inclusive).	5100, 52100, 6100.
5	Nickel-Chromium-Molybdenum Type (Nickel 1-5.25% inclusive).	4300.
6	Nickel-Chromium-Molybdenum Type (Nickel under 1%, Molybdenum 0.08-0.65% inclusive).	8600, 8700, 8800, 8900, 9400, 9500.
7	Carbon-Molybdenum and Manganese-Molybdenum Types (Molybdenum 0.15%-0.65%, inclusive.)	4000, 8000, 8100, 8200, 8300, 8400, 8500.
8	Carbon-Molybdenum and Manganese Molybdenum Types (Molybdenum 0.65% and over).	
9	Chromium-Molybdenum Type (Molybdenum 0.15% and over).	4100.
	Alloy Tool and Special Steels	
10	Tungsten content of 12% or more with a maximum molybdenum content of 1.1%.	Class B High Speed Steel, High Tungsten Hot Work Steels.
11	Tungsten content of 5% or more up to but not including 12% with a maximum molybdenum content of 1%.	Regular Tungsten Hot Work Steels.
12	Tungsten content of less than 5% but not less than 1% with a maximum molybdenum content of 1½%.	74100, Fast Finishing Steel, Low Tungsten Steels, Tungsten Molybdenum Hot Work Steels.
13	Molybdenum content of 7% or more with a maximum tungsten content of 2%.	Class A High Speed Steel Grades II and III.
14	Molybdenum content of not less than 3½% or more than 6% with tungsten content of not less than 4½% or more than 6½%.	Class A High Speed Steel Grade I.
	Corrosion and Heat Resisting Alloy Steels	
15	Chromium 10-14% inclusive, Nickel 0.75% maximum (Free machining grades).	
16	Chromium 10-14% inclusive, Nickel 0.75% maximum (all other grades).	
17	Chromium over 14%, Nickel 0.75% maximum	
18	Chromium 16% and over, Nickel over 6% (Free machining grades).	
19	Chromium 16% and over, Nickel over 6% (All other grades)	
20	All other grades of ferrous corrosion and heat resisting alloys containing chromium, nickel, molybdenum, tungsten, cobalt, or copper.	
	Alloy Cast Iron	
21	Nickel Type (Nickel 1-5.25% inclusive)	
22	Nickel-Chromium Type (Nickel 1-5.25% inclusive).	
23	Nickel-Molybdenum Type (Nickel 1-2.5% inclusive).	
24	Chromium Type (Chromium 0.5%-1.5% inclusive).	
25	Molybdenum Type (Molybdenum 0.15-0.65% inclusive).	
26	Nickel Type (Nickel 13-22% inclusive).	

NOTE: The steel series and other designations listed in Column 3 are for illustration only. Scrap of other analyses should be segregated in the appropriate group according to the descriptions in Column 2.

[F. R. Doc. 43-10886; Filed, July 6, 1943; 12:42 p. m.]

PART 1189—ROTENONE

[Conservation Order M-133, as Amended July 6, 1943]

Section 1189.1 *Conservation Order M-133* is hereby amended to read:

§ 1189.1 *Conservation Order M-133*—(a) *Definitions.* (1) "Rotenone" means the active insecticidal ingredients of the roots of derris, cube, barbasco, tuba or timbo. The term includes:

(i) "Crude rotenone" in the form of root or of root which has been dried, broken, shredded, cut or chipped;

(ii) "Processed rotenone" in the form of finely ground or powdered crude rotenone; also in the form of liquid or solid extracts (or resins) obtained from crude rotenone.

(2) "Rotenone insecticide" means any compound containing rotenone combined with other liquid or dry materials, whether active or inert; provided that such compound is suitable for use as an insecticide.

(3) "Importer" means any person engaged in the importation of rotenone.

(4) "Processor" means any person engaged in producing or selling processed rotenone in any of the forms described in paragraph (a) (1) (ii) hereof.

(b) *Restrictions on manufacture and processing.* (1) No person shall manufacture or process any rotenone insecticide in the form of dust or powder with a content of more than half of one per cent of rotenone, except as otherwise specifically authorized or directed by the War Production Board. This paragraph (b) (1) shall not, however, be understood to prevent the manufacture or preparation of dust having rotenone content of half of one per cent in accordance with standard commercial practice: *Provided,* That the actual variation from the permitted rotenone content shall not exceed ten per cent; nor shall this paragraph (b) (1) be understood to prevent the use in the manufacture of any rotenone insecticide of other active ingredients, activators or wetting agents.

(2) No person shall manufacture or process any rotenone insecticide incorporating pyrethrum.

(3) War Production Board may from time to time issue to processors of rotenone or to manufacturers of rotenone insecticides written directions as to the kinds and grades of processed rotenone or of rotenone insecticides to be produced, or as to the size of packages in which rotenone or rotenone insecticides may be packed.

(c) *Restrictions on deliveries and use.* (1) No importer or processor shall deliver or use rotenone and no person shall accept delivery of rotenone from an importer or processor except as specifically authorized or directed in writing by War Production Board.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each month (and with respect to the use by importers and processors) will so far as practicable be issued by War Production Board prior to the commencement of each such month, but War Production Board may at any time, in its discretion and notwithstanding the provisions of paragraph (d) hereof, issue directions with respect to deliveries to be made or accepted or with respect to the use which may or may not be made of rotenone to be received by, or already in the inventory of, any person.

(3) Each person specificaly authorized to accept delivery of rotenone shall use such material for the purpose authorized and only for such purpose, except as specifically authorized or directed in writing by War Production Board. Rotenone allocated for inventory shall not be used except as specifically authorized or directed in writing by War Production Board.

(4) Rotenone allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is for any reason not filled, revert to inventory as though originally allocated therefor.

(d) *Exceptions to requirement for specific authorization.* (1) Notwithstanding the provisions of paragraph (c) (1) hereof, specific authorization or direction of War Production Board shall not be required for:

(i) The delivery by any importer or processor to any other person in any calendar month, or use by any importer or processor in any calendar month, of not more than five (5) pounds of processed rotenone, if in solid form, or of not more than one (1) gallon if in the form of liquid extract.

(ii) The acceptance of delivery by any person from any importer or processor in any calendar month, of not more than five (5) pounds of processed rotenone, if in solid form, or of not more than one (1) gallon in the form of liquid extract.

(2) No importer or processor shall deliver rotenone pursuant to paragraph (d) (1) hereof if such delivery will prevent or delay a delivery of rotenone which he has been specifically authorized or directed to make.

(3) No importer or processor shall deliver a total quantity of rotenone in any calendar month pursuant to paragraph (d) (1) hereof in excess of that quantity, if any, to which War Production Board may expressly limit deliveries under paragraph (d) (1) for such month.

(e) *Agricultural use and distribution of rotenone insecticides.* Use of rotenone insecticides in agriculture and distribution of rotenone insecticides to agricultural consumers (which matters are not the subject of this order) are regulated by Food Production Order No. 13.

(f) *Applications.* (1) Each person seeking authorization to accept delivery of rotenone from any importer or processor in any calendar month, whether for own consumption or resale (and each importer or processor seeking authorization to use rotenone in any calendar month) shall file application on or before the 10th day of the preceding month. Where the application relates to acceptance of delivery or use in July or August, 1943, such application shall be filed as soon as possible. In each case, application shall be made on Form PD–600, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD–600 may be obtained at local field offices of War Production Board.

(ii) An original and four copies shall be prepared of which the original and two copies shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref.: M–133, the third copy forwarded to the supplier with whom the order is placed, and the fourth copy retained for applicant's files.

(iii) In the heading, under "Name of chemical", specify "Rotenone"; under "WPB Order No.", specify "M–133"; under "Indicate unit of measure", specify "Pounds".

(iv) In the heading at top of Tables I, and III, specify the month and year for which authorization for acceptance of delivery or use is sought.

(v) In Columns 1, 11, and 19, specify form; that is, whether dust, extract, ground, root, etc., and insert percentage of pure rotenone.

(vi) In Column 3 (Primary Product) applicant will state the use to be made of the rotenone which he wishes to receive or use, for example, "Insecticide manufacture", "Pharmaceutical products", and in Column 4 (Product End Use) applicant will state the ultimate or end use to which the product manufactured by him will be put, for example, "Agricultural". If the application is for rotenone for resale without further processing, applicant will insert in Column 3 "Resale" and in Column 4 will show the purpose or purposes for which his customer will use the rotenone so to be resold.

(vii) Table II will be filled out in its entirety, as will Table III. Table IV will be left blank.

(2) Each importer or processor seeking authorization to make delivery of rotenone during any calendar month shall file application on or before the 15th day of the preceding calendar month. The application shall be made on Form PD–601 in the manner prescribed therein, subject to the following specific instructions:

(i) Copies of Form PD–601 may be obtained at local field offices of War Production Board.

(ii) An original and four copies shall be prepared of which the original and three copies shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref.: M–133, the fourth copy to be retained for applicant's file.

(iii) In the heading, under "Name of chemical", specify "Rotenone"; under "WPB Order No." specify "M–133"; under "Name of company", state name and mailing address; under "Indicate unit of measure", specify "Pounds"; and state the month and year for which authorization for use or acceptance of delivery is sought.

(iv) In Columns 3 and 8, specify form; that is, whether dust, extract, ground, root, etc., and insert per cent of pure rotenone.

(v) In Column 4, the importer or processor will list the name of each customer from whom he has received an order for rotenone for delivery in the applicable month. If it is necessary to use more than one sheet to list customers, he will number each sheet in order and show a grand total for all sheets on the last sheet which is the only one that need be certified. Names of customers to whom in the applicable month the importer or processor proposes to make delivery of processed rotenone pursuant to paragraph (d) (1) hereof, need not, however, be listed, but instead the importer or processor will state in Column 1 "Total small order deliveries (estimated)" and in Column 4 will specify the total estimated quantity of processed rotenone so to be delivered.

(vi) The importer or processor may, if he wishes, leave blank Column 5.

(3) War Production Board may issue special directions with respect to the preparing and filing of Forms PD–600 and PD–601.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: "War Production Board, Chemicals Division, Washington, D. C. Ref: M–133."

This order, as amended, shall become effective July 10, 1943.

Issued this 6th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-10885; Filed, July 6, 1943; 12:42 p. m.]

PART 3068—THEOBROMINE AND CAFFEINE

[Conservation Order M–222, as Amended July 6, 1943]

Section 3068.1 *Conservation Order M–222* is hereby amended to read as follows:

§ 3068.1 *Conservation Order M–222*—(a) *Definitions.* (1) "Theobromine" means 3:7-dimethylxanthine, whether synthetic or natural, in crude or refined form. The term includes any compound of theobromine including, but not limited to, theobromine sodium-acetate and theobromine with sodium salicylate, but does not include standard dosage forms (tablets, capsules, ampules, solutions, etc.).

(2) "Caffeine" means 1:3:7-trimethylxanthine, whether synthetic or natural, in crude or refined form. The term includes all compounds of caffeine including, but not limited to, caffeine citrated, caffeine with sodium benzoate and caffeine with sodium salicylate, but does not include standard dosage forms (tablets, capsules, ampules, solutions, etc.).

(3) "Producer" means any person engaged in the production or refining of theobromine or caffeine, and includes any person who imports theobromine or caffeine or has theobromine or caffeine produced or refined for him pursuant to toll agreement.

(4) "Distributor" means any person who buys theobromine and caffeine for the purpose of resale without further processing and without changing the form thereof.

(5) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) No supplier shall deliver theobromine or caffeine to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of theobromine or caffeine which he knows or has reason to believe is delivered in violation of this order.

(2) Authorizations or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form PD–602 which is to be filed by the supplier with War Production Board as explained in paragraph (f) below.

(3) If a supplier is authorized or directed by War Production Board to deliver theobromine or caffeine to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the theobromine or caffeine shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for deliveries to compounders for medicinal purposes and exceptions for small deliveries.* (1) Specific authorization in writing of War Production Board is not required for:

(i) Delivery of theobromine or caffeine for medicinal purposes by any supplier to any person for compounding into standard dosage forms:

(ii) Delivery of theobromine or caffeine by any person to any other person for compounding into standard dosage forms for medicinal purposes pursuant to toll agreement;

(iii) Delivery by any supplier to any person in any calendar month of not more than two (2) pounds of theobromine and not more than two (2) pounds of caffeine.

(2) The aggregate quantity of caffeine or theobromine which any supplier may deliver in any calendar month pursuant to paragraph (c) (1) shall not exceed the quantity which War Production Board shall in writing specifically authorize or direct such supplier to deliver in such month under this paragraph (c) (2) on application made by such supplier (in the normal case on Form PD–602 filed pursuant to paragraph (f) hereof), but any supplier may in any month make deliveries totaling not more than ten (10) pounds of theobromine and not more than ten (10) pounds of caffeine without any specific authorization or direction.

(d) *Restrictions on use.* (1) No supplier shall use theobromine or caffeine except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for theobromine or caffeine furnishes a certificate required by paragraph (e) shall use the theobromine or caffeine delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of the theobromine or caffeine to be delivered to, or then in inventory of, the prospective user.

(e) *Customer to furnish certificate of use.* No supplier shall in any calendar month beginning with August, 1943, deliver to any person more than two (2) pounds of theobromine or more than two (2) pounds of caffeine unless he shall have received from such person a certificate as to the use for which such person is ordering theobromine or caffeine. Such certificate must be substantially in the form indicated in Appendix A to this order. The certificate must be received by supplier not later than the 15th of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver theobromine or caffeine where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(f) *Applications by suppliers.* (1) Each supplier requiring authorization to make delivery of, or to use, theobromine or caffeine during any calendar month, beginning with August, 1943, shall file application on or before the 20th day of the preceding month. The application shall be made on Form PD–602 in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix B to this order. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) Applications respecting deliveries or use in June or July, 1943, may be made either on Form PD–602 or PD–601.

(3) War Production Board may issue other and further directions with respect to preparing and filing Form PD–602.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M–222.

Issued this 6th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M-222, that the theobromine, caffeine [strike out inapplicable word] ordered for delivery in ---------, month 194--, will be used by him in the manufacture or preparation of the following product(s), and that such product(s), on the basis of an order or orders filed with the undersigned, will be put to the following end use(s):

	Pounds	Primary product	End use
(A)	---------	----------	----------
(B)	---------	----------	----------

Name of Purchaser

--------- By---------- ------
Date Duly Authorized Official Title

INSTRUCTIONS FOR CUSTOMER'S CERTIFICATE

(1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) The purchaser will specify under "Primary product", the exact product or products in which the theobromine or caffeine will be used or incorporated. For example, a person purchasing theobromine for methylation in the manufacture of caffeine will specify "Caffeine." Distributors ordering theobromine or caffeine for resale as such will specify "Resale." If purchase is for inventory, state "Inventory."

(3) Under "End use", purchaser will specify the ultimate use to which the primary product will be put; namely, medicinal or beverage. He will also indicate whether civilian Lend-Lease, other export, or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, indicate contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor purchasing theobromine or caffeine for resale will leave blank the "End use" column.

APPENDIX B

SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM PD-602

(1) Copies of Form PD-602 may be obtained at local field offices of the War Production Board.

(2) Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington, D. C., Ref: M-222, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) Where the supplier's application relates to deliveries of both theobromine and caffeine, he will file a separate set of Form PD-602 for each.

(4) In the heading, under "Name of Material", specify "Theobromine" or "Caffeine", as the case may be; under "Grade", specify the quality, for example, crude, refined, USP; under "WPB Order No.", specify "M-222"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of Measure", specify "Pounds"; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) In Column 1, list each salt for which orders for delivery during the applicable month have been received (for example, caffeine alkaloid anhydrous, caffeine citrated USP, caffeine with sodium benzoate USP, theobromine sodium-acetate USP, etc.), and under each salt list in Column 1 the names of each customer (except for orders for medicinal compounding and for small orders as explained in (7) and (8) below) ordering such salt. If it is necessary to use more than one sheet to list customers, number each sheet in order and show total for each salt on last sheet, which is the only one that need be certified.

(6) In Column 1-a (except for orders for medicinal compounding and for small orders as explained in (7) and (8) below), specify the product or products in the manufacture or preparation of which theobromine or caffeine will be used by your customer, the end use to which such product or products will be put, and Army, Navy or Lend-Lease contract numbers and export license numbers, all as indicated by the certificate obtained under paragraph (e) of this order. The quantity of theobromine or caffeine used in the manufacture or preparation of each product for each product use shall be shown separately. If the theobromine or caffeine ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of theobromine or caffeine ordered for each use. In the case of theobromine and caffeine for resale or inventory, it is necessary to show only "Resale" or "Inventory".

(7) It is not necessary to list the name of any customer to whom theobromine or caffeine is to be delivered in the applicable month, whatever the quantity, for compounding into standard dosage forms for medicinal purposes. Instead, write in Column 1 "Total deliveries for medicinal compounding (estimated)" and in Column 4, specify the total estimated quantity so to be delivered.

(8) It is not necessary to list the name of any customer to whom not more than two (2) pounds of theobromine and not more than two (2) pounds of caffeine is to be delivered in the applicable month, nor, in the case of any such delivery, the name of the product or the end use. Instead, write in Column 1 "Total small order deliveries (estimated)" and in Column 4, specify the total estimated quantity so to be delivered.

(9) A producer requiring permission to use a part or all of his own production of theobromine or caffeine shall list his own name as customer in Column 1 on Form PD-602, specifying quantity required and product manufactured. Written approval of War Production Board on such Form PD-602 shall constitute authority to the producer to use theobromine or caffeine in the quantity and for the purposes indicated in such approved form.

(10) Each producer will report production, deliveries and stocks as required by Table II, Columns 8 to 16, inclusive. Distributors will fill out only Columns 8, 10, 12 and 13.

[F. R. Doc. 43-10884; Filed, July 6, 1943; 12:42 p. m.]

PART 3097—SULFAMIC ACID AND SULFAMIC ACID DERIVATIVES

[Revocation of General Preference Order M-242]

Section 3097.1 *General Preference Order M-242* is hereby revoked.

This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order M-242.

Issued this 6th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-10888; Filed, July 6, 1943; 12:42 p. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Schedule 14 to Limitation Order L-211]

STEEL FENCE POSTS

§ 3102.15 *Schedule No. 14 to Limitation Order L-211*—(a) *Restrictions on production.* No person shall produce steel fence posts except from used rails, and except in accordance with the specifications set forth in List 1 attached hereto.

(b) *Restrictions on delivery and acceptance.* No person shall deliver or accept delivery of any steel fence posts which he knows or has reason to believe were produced in violation of the provisions of paragraph (a).

(c) *Exceptions.* The provisions of paragraphs (a) and (b) shall not apply to any steel fence posts

(1) The production, delivery or acceptance of which is specifically authorized in writing by the War Production Board, or

(2) Which have been produced prior to July 6, 1943, or which prior to such date have been processed in such manner and to such extent that processing to conform to such provisions would be impracticable.

(d) *Records.* Each person owning or possessing steel fence posts excepted by the provisions of paragraph (c) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 6th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST 1

Line post:
- Number of styles (Not more than two):
  - One weighing 1.33 pounds per foot maximum.
  - One weighing 1.12 pounds per foot minimum.
- Wire fastening:
  - Optional.
- Lengths:
  - 5'0", 5'6", 6'0", 6'6", 7'0"—no pointing.
- Anchor plate:
  - Maximum weight .65 pound.
- Paint:
  - Not more than one coat, color optional, no ornamentation.
- Bundling practice as before.

Electric fence post:
- One style, weight, and length, namely 1" x 1" angle, 4'6" long, maximum weight 3½ pounds.
- No anchor plate.
- No pointing.
- Not more than one coat of paint, color optional, no ornamentation.
- Bundling practice as before.

No end or corner posts to be produced.

[F. R. Doc. 43-10889; Filed, July 6, 1943; 12:42 p. m.]

PART 1024—PIGS' AND HOGS' BRISTLES

[General Preference Order M-51, as Amended July 7, 1943]

Section 1024.1 *General Preference Order M-51* is hereby amended to read as follows:

§ 1024.1 *General Preference Order M-51*—(a) *Definitions.* For the purpose of this order:

(1) "Bristles" means pigs' or hogs' bristles, including riflings, 2 inches or longer, whether new, reclaimed, raw, dressed, imported or domestic.

(2) "Dealer" means a person who purchases and sells bristles without changing their condition.

(3) "Dresser" means a person who grades, sorts, dresses, reclaims, or in any wise processes bristles.

Restrictions

(b) *Importation.* Notwithstanding any other order, rule, regulation or direction, or any certificate or authorization, no person other than Defense Supplies Corportation shall import any variety of bristles of the categories known as "Chinese", "Indias", "Russians" or "Siberians". The importation of bristles of other categories shall be according to General Imports Order M-63, as amended from time to time.

(c) *Purchase and sale.*—Unless otherwise authorized in writing by the War Production Board:

(1) *Undressed domestic bristles.* No person other than an approved dresser shall buy or accept undressed domestic bristles from a slaughter house. "Approved dresser" means a dresser so designated and authorized in writing by the War Production Board to process domestic bristles. This designation and authorization, which may be conditioned and limited by the War Production Board at any time, will be made when it approves of a dresser as capable of processing domestic bristles according to specifications fixed by the War Production Board. Applications may be made by a dresser at any time by submitting samples of his product, processed according to such specifications, accompanied by a letter describing his experience and equipment.

(2) *Dressed domestic bristles.* No person other than Defense Supplies Corporation shall buy or accept dressed domestic bristles.

(3) *Dressed imported bristles.* No person other than a dealer shall buy or accept dressed imported bristles, except:

(i) *Purchase for permitted use.* To manufacture brushes as permitted in subparagraphs (2) and (3) of paragraph (d), below.

(ii) *Purchase for inventory and inventory limit.* As may be necessary to enable him to manufacture for inventory a quantity of brushes as permitted by this order, but not more than the quantity of brushes manufactured and delivered by him according to this order (or according to this order as issued November 30, 1942 in the case of deliveries before July 30, 1943) in the calendar month preceding the date on which the order for such bristles is placed:

Provided, (a) That his inventory is not greater than a practicable minimum working inventory at the time the order is placed; (b) That, to the best of his knowledge and belief, it will not become so at the time the bristles are scheduled to be delivered; and (c) That delivery will not be accepted at any time when acceptance would bring his inventory above a practicable minimum working inventory.

(4) *Seller of bristle or bristle products.* No person shall sell or deliver bristles to a person prohibited by this paragraph (c) from buying or accepting them, or bristles or products containing bristles knowing or having reason to believe that the purchase, acceptance or use of them is not or will not be as permitted by this order.

(5) *Buyer of bristle products.* No person shall buy, accept or use products containing bristles, knowing or having reason to believe that the purchase, acceptance or use of them is not or will not be for use or to fill orders as permitted by this order.

(d) *Use*—(1) *Domestic bristles.* No person, without written authorization of the War Production Board, shall use domestic bristles in the manufacture of any product.

(2) *Imported bristles.* Unless otherwise authorized in writing by the War Production Board, no person, commencing July 30, 1943, shall use imported bristles in the manufacture of any product, except as follows:

(i) *Dental plate brushes.* Until December 31, 1943, 3 inch bristles may be used in the manufacture of dental plate brushes requiring not more than 1 pound of bristles for 120 brushes, in an amount not exceeding the manufacturer's use of bristles, nylon or both for dental plate brushes in the period July 1, 1942 through December 31, 1942.

(ii) *Military orders.* Upon specific orders for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(iii) *Brushes for maintenance, repair or operating supplies.* Bristles 2 to 3⅛ inches long, inclusive, may be used in the manufacture of brushes, upon specific orders:

Provided, That no person shall order such brushes, except for necessary use in the maintenance or repair of facilities required for producing any product or conducting any business, activity or service, listed on Schedule I or II, as amended from time to time, annexed to CMP Regulation 5 or 5A, or for necessary operating supplies for any such purpose, or to fill specific orders therefor.

(iv) *Painters' brushes for maintenance, repair or operating supplies.* Bristles longer than 3⅛ inches may be used in the manufacture of painters' brushes, upon specific orders:

Provided, That no person shall order such brushes, except for necessary use in the maintenance or repair of facilities required for producing any product or conducting any business, activity or service, listed on Schedule I, as amended from time to time, annexed to CMP Regulation 5 or 5A, or for necessary operating supplies for any such purpose, or to fill specific orders therefor.

(v) *Limitation on orders.* No person shall order any brushes, referred to in subdivisions (iii) and (iv) of this subparagraph (2), for delivery or accept them, during any calendar quarter, in a quantity exceeding his requirements for such maintenance, repair and operating supplies during any such quarter.

(3) *Manufacture exceeding specific orders and disposal of excess.* The requirements of subdivisions (ii), (iii) and (iv) in the next preceding subparagraph (2) that products be manufactured only to fill specific orders, shall not prevent the manufacture of minimum commercially practicable quantities of products exceeding specific orders:

Provided, That any excess manufactured shall be sold only upon orders referred to in said subdivisions (ii), (iii) or (iv), as the case may be, of said paragraph (2), above.

(4) *Prior order.* Until July 30, 1943, the restrictions on the use of imported bristles, provided in this order as issued November 30, 1942, shall apply. The restrictions, provided in this order, on the use, sale, delivery and acceptance of products containing bristles shall not apply to such products in the possession, prior to July 30, 1943, of the manufacturer, jobber or retailer, as the case may be.

Conservation

(e) *Conservation.* Unless otherwise authorized in writing by the War Production Board, no person shall use in the manufacture of any product a mixture of more than 55% of pigs' or hogs' bristles or a combination of both.

Provided, That this restriction shall not apply to:

(1) The manufacture of dental plate brushes as described in paragraph (d) (2) (i), above.

(2) The manufacture of any product containing bristles none of which are longer than 2⅛ inches.

(3) The manufacture of any product bought by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, where a contracting or inspecting officer of the department or agency concerned, after reviewing the applicable Emergency Alternate Federal Specification, certifies in a signed certificate, sent to the manufacturer, that a different bristle mixture is necessary for military or naval use.

Fair Distribution of Products

(f) *Fair distribution of products.* It is hereby declared to be the policy of the War Production Board that bristles and brushes shall be distributed equitably, and that no person shall discriminate, in the acceptance or filling of orders or in the making of sales or deliveries, as between customers who meet his established prices, terms and conditions of sale. Upon complaint of any person or without such complaint, the War Production Board may investigate any case of supposed failure of any person to distribute his product equitably, and may issue such instructions as are necessary to obtain equitable distribution. Any instructions issued pursuant to this paragraph must be in writing to be valid.

General Provisions

(g) *Reports and communications*—(1) *Imported bristles.* Every owner of imported bristles shall file with the Bureau of the Census, Department of Commerce, acting as compiling agent for the War Production Board, not later than the 10th day of each month, a report on Form WPB-431 (formerly Form PD-217), showing his holdings and consumption of imported bristles during the preceding month.

(2) *Domestic bristles.* Every owner of more than ten pounds of domestic bristles shall file with the War Production Board not later than the 10th day of each month, a report on Form WPB-2287 (formerly Form PD-781), showing his holdings and shipments of domestic bristles during the preceding month.

(3) *Reporting.* All reports required to be filed and all communications concerning this order shall unless otherwise directed in writing be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Ref.: M-51.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds for the appeal.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Further restrictions.* No dealer, dresser or manufacturer of brushes shall use bristles or sell, deliver, accept or use bristles or brushes contrary to any specific directions which may be issued from time to time by the War Production Board.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 7th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-10926; Filed, July 7, 1943; 11:14 a. m.]

PART 3214—MEN'S, WOMEN'S, CHILDREN'S, AND INFANTS' HOSIERY

[General Limitation Order L-274, as Amended July 7, 1943]

Section 3214.1 *General Limitation Order L-274* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of silk, nylon, rayon, cotton, wool and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3214.1 *General Limitation Order L-274*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(b) *Definitions.* For the purposes of this order, unless otherwise expressly defined all trade terms shall have their usual and customary meanings.

(c) *Restrictions on the manufacture of certain types of hosiery.* (1) No person shall put into production women's full-fashioned hosiery, women's seamless circular knit hosiery, men's hosiery, misses', children's or infants' hosiery, or crew socks, except in accordance with Schedules A, B, C, D, E, and F, which are a part of this order, or as permitted in paragraphs (c) (2), (c) (3), and (c) (4).

(2) Any person having a substantial number of machines which on May 15, 1943, or within one year prior thereto were in use to manufacture products referred to in paragraph (c) (1), but which cannot be used or converted to produce the products permitted by this order without a substantial allotment of critical materials for conversion, may, if he desires, so report in writing to the War Production Board, attention of Textile, Clothing and Leather Division, setting forth all pertinent facts. The War Production Board, if it determines that the output of such machines is necessary to maintain production at adequate levels, may establish specifications for products to be manufactured with such machines, such specifications to apply to such products alone, and to supersede the applicable limitations of this order.

(3) The restrictions of paragraph (c) (1), and the schedules therein referred to, and any specifications established pursuant to paragraph (c) (2), do not apply to the manufacture of any hosiery for or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(4) Any hosiery manufacturer may use to produce hosiery not permitted by this order any material which was in his possession or on order on April 2, 1943, and which with his existing machines he cannot use to manufacture products permitted by this order.

(d) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing & Leather Division, Washington, D. C., Ref.: L-274.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Records.* All manufacturers affected by this order shall keep and preserve for not less than two years accurate and complete records of production, type and poundage of raw materials consumed, and shipments made by date, quantity, and name of consignee.

Issued this 7th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—WOMEN'S FULL-FASHIONED RAYON HOSIERY

NOTE: Table I, paragraphs (a), (b), (c), (d), (j), (l), (p), amended; (q) added, July 7, 1943.

(a) This schedule applies to women's full-fashioned plain knit rayon hosiery. The manufacture of women's rayon hosiery of mesh construction, either on modified lace, full lace, or jacquard attachments, and women's rayon hosiery of so-called "run-proof" construction, is also covered by all the provisions of this schedule except where specifically stated to apply to plain knit hosiery only. The schedule does not apply to constructions made of combinations of cotton, wool, continuous filament or spun rayon.

(b) No person shall produce any women's full-fashioned rayon hosiery unless it meets the minimum specifications shown on Table I, except that the column in the table headed "minimum total courses" applies to rayon plain knit hosiery only, and except for a provision respecting acetate rayon hosiery in paragraph (q).

TABLE I—WOMEN'S FULL-FASHIONED RAYON HOSIERY

Gauge	Welt		Leg		Minimum total courses [2]	Minimum fineness of—	
	Yarn	Minimum turns per inch	Yarn	Minimum turns per inch		Heel and sole splicing	Toe splicing
39	150 den. rayon	8	150	8	1,190	100 den. or cotton	90/2 or coarser.
39	70/2 cotton		150	8	1,150	100 den. or cotton	90/2 or coarser.
39	125 den. rayon	10	100	20	1,310	100 den. or cotton	90/2 or coarser.
39	80/2 cotton		100	20	1,270	100 den. or cotton	90/2 or coarser.
42	150 den. rayon	8	150	8	1,240	100 den. or cotton	90/2 or coarser.
42	80/2 cotton		150	8	1,200	100 den. or cotton	90/2 or coarser.
42	125 den. rayon	10	100	20	1,340	100 den. or cotton	90/2 or coarser.
42	80/2 cotton		100	20	1,300	100 den. or cotton	90/2 or coarser.
45-48	150 den. rayon	8	150	8	1,350	100 den. or cotton	90/2 or coarser.
45-48	80/2 cotton		150	8	1,310	100 den. or cotton	90/2 or coarser.
45-48	125 den. rayon	10	100	20	1,400	100 den. or cotton	100/2 or coarser.
45-48	100/2 cotton		100	20	1,360	100 den. or cotton	100/2 or coarser.
45-48	100 den. rayon	10	75	25	1,450	100 den. or cotton	100/2 or coarser.
45-48	100/2 cotton		75	25	1,410	100 den. or cotton	100/2 or coarser.
51	100 den. rayon	10	100	20	1,450	75 den. or cotton	100/2 or coarser.
51	100/2 cotton		100	20	1,410	75 den. or cotton	100/2 or coarser.
51	100 den. rayon	10	75	25	1,500	75 den. or cotton	100/2 or coarser.
51	100/2 cotton		75	25	1,460	75 den. or cotton	100/2 or coarser.
51	100 den. rayon	15	[1] 50	30	1,600	75 den. or cotton	120/2 or coarser.
51	120/2 cotton		[1] 50	30	1,560	75 den. or cotton	120/2 or coarser.
54 and up	75 den. rayon	15	[1] 50	30	1,700	75 den. or cotton	140/2 or coarser.
54 and up	140/2 cotton		[1] 50	30	1,660	75 den. or cotton	140/2 or coarser.

[1] Rayon yarn qualifying as yarn of 50 denier and having an over-all tenacity of 2.3 grams per denier or higher irrespective of elongation.

[2] Minimum total courses in continuous filament acetate rayon hosiery may be 75 courses less than the minimum established in this column for each gauge. See paragraph (q).

(c) Except in the case of continuous filament acetate rayon hosiery, which is provided for in paragraph (q), the leg length shall be 29 inches with a 1½-inch minus tolerance and a reasonable plus tolerance. Any person who manufactured proportioned length hosiery outside the tolerances permitted by this paragraph (c) in 1942 may apply to the War Production Board for permission to continue such manufacture. Such application shall be in writing, and shall set forth all pertinent facts. The War Production Board may take such action on such application as it may deem proper.

(d) In standard or conventional welt constructions, the minimum length of the double welt shall be 3½ inches and of the afterwelt 1½ inches. No afterwelt is required, but is permissible, in constructions where the main end or leg yarn is of 100 denier rayon or heavier. Double welts of less than 3½ inches and other special welt constructions are permissible providing the single thickness portion of the welt or afterwelt is no finer than 150 denier filament rayon, or the equivalent in other fibers, when knit on machines coarser than 51 gauge; or 100 denier filament rayon, or its equivalent in other fibers, when knit on machines of 51 gauge or finer. In any construction the total all over length of welt plus the afterwelt shall not be less than five inches. In constructions where the yarn used in knitting the welt is no heavier than the main end used in knitting the leg, the double welt shall not measure less than 3½ inches in length. A proportionately lower number of courses than is specified in Table I is permissible in the knitting of the welts of hosiery made with special welt constructions. When a standard or conventional double welt is knit of a higher denier than that specified as the minimum in the table, it is permissible to reduce the minimum total courses at a rate of one course less per each denier used, over the specified minimum. That is to say, if 125 denier is used in the welt instead of the specified minimum of 100 denier, the minimum number of courses may be reduced by 25 courses in the welt but not in knitting the leg portion.

(e) All rayon stockings of 75 denier or finer shall be made with an overlap of at least two (2) courses immediately following the afterwelt, in which the yarn of the afterwelt is to be knit together with the main end used in knitting the leg for a minimum of two (2) courses.

(f) The minimum number of needles used in knitting hosiery shall be the full 14 inch bar less two needles at each end of the bar on all gauges.

(g) The minimum number of courses are to be counted in conventional or legger-footer construction, from the first course in the welt to the loose course in the heel; in single unit or rack-back constructions, from the first course in the welt to the course in the heel on which the widest course in the rackback falls.

(h) The heel splicing shall measure 4½ inches from the bottom of the heel with a ½ inch tolerance, plus or minus.

(i) All seams shall be made with a minimum of 16 stitches to the inch and be made of a good quality two or three ply seaming yarn.

(j) Based on a 14-inch head, the maximum number of total flare and calf narrowings in full-fashioned plain knit hosiery shall be:

39 gauge	40 narrowings.
42 gauge	42 narrowings.
45 gauge	44 narrowings.
48 gauge	46 narrowings.
51 gauge	50 narrowings.
54 gauge and up	Optional.

(k) The reinforcing yarn in the toe must start within 10 courses from the first toe narrowing.

(l) Where two-ply cotton yarns are specified the equivalent count in single yarns may be used. Where definite counts of cotton (but not rayon) yarn are specified in the table, no finer counts of cotton yarn may be used, but combination yarns of cotton and rayon, or cotton, rayon and wool mixed yarns, and coarser counts of cotton yarns, or spun rayon yarn of total equivalent denier or heavier may be used. No spun rayon yarn may be used as a toe splicing or toe reinforcing yarn.

(m) Plied ends of single rayon yarn may be used if they make the equivalent denier of yarns shown in the table. Sixty-five denier cuprammonium rayon yarn shall be deemed equivalent to 75 denier viscose yarn and may be used as an alternate wherever 75 denier is specified in the table. The use of acetate rayon yarn is not permissible in deniers finer than 75.

(n) In single unit or rack-back construction the total minimum number of courses may be no more than 40 courses less than the minimums for conventional constructions shown in the above table.

(o) No lace bands, fancy designs or numerals are to be knit in welt or afterwelt. No picot stitches are to be placed more closely than ¾ inch apart except for the top ½ inch of the welt.

(p) For any spring-summer or fall-winter line, no manufacturer shall put in dye or knit ingrain more than 7 basic body colors, and no more than 5 of these 7 shall be in any one style.

(q) The following specifications may at the manufacturer's option be followed in the manufacture of continuous filament acetate rayon hosiery in place of the corresponding provisions in Table I and paragraph (c): The total courses may be one to 75 courses less than the minimum established for each gauge in Table I. The leg length may be 29 to 30½ inches with a 1½ inch minus tolerance and a reasonable plus tolerance.

Schedule B—Women's Seamless, Circular Knit Hosiery

Note: Table II, paragraphs (a), (d), and (h) amended July 7, 1943.

(a) No manufacturer shall produce any women's seamless or circular knit hosiery unless it meets the minimum specifications shown on Table II.

TABLE II—WOMEN'S SEAMLESS, CIRCULAR KNIT HOSIERY

Needles	Welt construction			Body or boot construction if rayon		Splicing yarns when used	Heel and toe yarns	Minimum total courses of all-over rayon construction		Total minimum courses if made with cotton welts	Minimum total courses if all-over cotton construction	
	If cotton	If rayon						Boot yarn	Total courses		Welt and boot yarn	Total courses
		Denier	Minimum twist	Denier	Minimum twist							
176-188	50/2	150	Producers	150	Producers		36/2	150	792	756	50/2	756
200	50/2	150	Producers	150	Producers		40/2	150	852	816	50/2	816
220-240	50/2	150	Producers	150	Producers	50 denier rayon or 70/1 cotton	40/2	150	900	852	60/2	852
260	60/2	150	Producers	150	Producers	50 denier rayon or 80/1 cotton	50/2	150	960	912	70/2	960
280	70/2	150	10 turns	125	Producers	50 denier rayon or 90/1 cotton	60/2	150	1,008	960	80/2	1,008
300	80/2	125	Producers	100	15 turns	50 denier rayon or 100/1 cotton	70/2	100	1,104	1,056	100/2	1,104
320	100/2	100	10 turns	100 or 75	15 turns 20 turns	50 denier rayon or 100/1 cotton	80/2	100 or 75	1,152 1,200	1,104 1,152	120/2	1,152 1,200
340	120/2	100	10 turns	75	20 turns	50 denier rayon or 100/1 cotton	100/2	75	1,260	1,212	120/2	1,260
360-380	120/2	100	10 turns	75	20 turns	50 denier rayon or 100/1 cotton	120/2	75	1,320	1,272	120/2	1,320
400	140/2	100	10 turns	75	20 turns	None	140/2	75	1,392	1,344	140/2	1,356

(b) Where definite counts of cotton (but not rayon) yarn are specified in the table, no finer counts of cotton yarn may be used, but combination yarns of cotton and rayon, or cotton, rayon and wool mixed yarns, and coarser counts of cotton yarns, or spun rayon yarn of total equivalent denier or heavier may be used. No spun rayon yarn may be used as a splicing or reenforcing yarn in heel or toe.

(c) Where two-ply cotton yarns are specified in the table the equivalent counts in single yarns may be used.

(d) The leg length of women's seamless rayon hosiery shall be 30 inches with a 1½ inch minus tolerance and a reasonable plus tolerance. All welts to finish a minimum of 4 inches.

(e) The specified minimum total courses are to be counted from the first course in the welt to the end of the high splicing where the reciprocating motion is started for the heel.

(f) Mesh or tuck stitch constructions in women's circular knit hosiery are restricted to the following constructions:

(1) On single-end tuck stitch knitting, no finer than one end of 100 denier rayon yarn or its equivalent in other fibres may be used in the leg, on any machine regardless of number of needles.

(2) On double-end mesh knitting no finer than 75 denier rayon yarn or its equivalent in other fibres may be used in the leg, on any machine regardless of number of needles.

(3) Minimum number of turns per inch in the rayon yarn in mesh or tuck stitch constructions are to be the same as shown in the above table for plain knit constructions for similar deniers.

(g) All sole splicing yarns are prohibited in women's circular knit all-over cotton hosiery and in women's circular knit rayon hosiery when the main end is 100 denier rayon yarn or heavier.

(h) For any spring-summer or fall-winter line, no manufacturer of women's seamless hosiery shall put in dye or knit ingrain more than 7 basic body colors, and no more than 5 of these 7 colors in any one style. In addition to the foregoing colors, white is also permitted.

SCHEDULE C—MEN'S HOSIERY

NOTE: Paragraph (c) (1) amended July 7, 1943.

(a) The following limitations apply to men's hosiery but do not apply to the manufacture of men's work socks or bundle socks made of wool, part wool, or cotton.

(b) No manufacturer may produce in any mill men's hosiery in fancy patterns which were not in actual production in such mill during the sixty-day (60) period immediately prior to April 2, 1943. Any machines that have been idle for this entire period may be set-up on patterns of the mill's choosing, but when so set-up, they are subject to the limitations of this clause.

(c) (1) For any spring-summer or fall-winter line no one mill shall put in dye or knit ingrain more than 7 basic body colors and no more than 5 of such 7 basic colors in any one style, to which may be added white and three War Service colors.

(2) No limitations are placed upon the use of various colors in yarns used purely for decorative purposes in men's fancy hosiery.

(d) No men's cotton hosiery is to be manufactured with any splicing or reinforcing yarn in the sole.

(e) True-ribbed tops, those knitted separately and transferred, or those knitted automatically on H-H or Komet machines, shall not be doubled, turned or hemmed. None of the limitations of this paragraph shall apply to men's hosiery made on R. I. machines.

(f) No men's hosiery is to be manufactured with any mock-seams.

SCHEDULE D—MISSES', CHILDREN'S, AND INFANTS' HOSIERY AND WOMEN'S ANKLETS

NOTE: Paragraph (f) amended July 7, 1943.

(a) No manufacturer shall put in production any fancy or novelty patterns or designs, not actually in production in the period between October 1st, 1942, and April 2, 1943.

(b) No manufacturer shall produce any children's half-socks in a foot-size larger than seven and one-half (7½); Infants' ribbed long hose may not be produced in a foot-size exceeding 5½ or in a color other than white.

(c) (1) The total finished leg-length of all women's, misses', children's, and infants' anklets either straight-up or cuff-top is not to exceed the measurements shown in Table #10 of U. S. Commercial Standards, C. S. 46-40, as follows:

TABLE 10—STANDARD LENGTHS OF ANKLETS

[Folded and single cuffs]

Size	Number of needles	Size of cylinder (diameter)	Standard length	Tolerance
		Inches	*Inches*	
5-5½	120-160	2¼-2½	4	+¼
6-6½	120-180	2¼-3	4½	+¼
7-7½	130-200	2½-3¼	5	+¼
8-8½	140-220	2½-3½	5½	+¼
9-9½	150-240	2¾-3½	6	+¼
10-10½	160-240	3-3½	6	+¼
11-11½	120-180	3¼-3¾	6	+¼

(2) No cuff may be turned down or folded more than once, and shall not be made of more than one thickness of fabric before folding.

(3) No top or cuff either straight-up or folded is to measure when finished more than two (2) inches in length.

(d) (1) No true-ribbed, topped-on anklets or anklets made on H-H or Komet machines, in sizes 8 and up are to be manufactured with other than straight-up tops. No cuff or turned tops. None of the limitations of this paragraph shall apply to hosiery made on R. I. machines.

(2) All folded down or cuff top anklets in sizes 8 and up are to be manufactured with sewed-on tops.

(e) No women's anklets or misses', children's or infants' hosiery shall be manufactured with any splicing or reinforcing yarn in the sole of the foot.

(f) In the twelve months period following May 15, 1943, no manufacturer of women's anklets or misses', children's, or infants' hosiery shall knit ingrain or put in dye more than 8 basic body colors in staple constructions, and, in novelty constructions no more than 7 of such basic colors in any one style. In addition to the foregoing colors white is also permitted. No restriction is placed upon the use of any colored yarns in the manufacture of decorative stripes, designs and figures in any part of women's anklets, or misses', children's or infants' hosiery.

SCHEDULE E—WOMEN'S FULL-FASHIONED ALL-OVER COTTON HOSIERY

NOTE: Paragraphs (b), (c), and (m), and the caption of Table III amended July 7, 1943.

(a) This schedule does not apply to women's cotton hosiery of the "Cut and sewed" type.

(b) No person shall produce any women's full-fashioned all-over cotton hosiery unless it meets the minimum specifications shown on Table III. Single counts of cotton yarn may be used if equivalent to the 2-ply counts shown in the table.

TABLE III—WOMEN'S FULL-FASHIONED ALL-OVER COTTON HOSIERY, MAXIMUM PERMISSIBLE FINENESS OF YARN

Gauge	Welt	Leg	High heel	Sole	Lower heel total equiv.	Toe weight	Minimum total courses
39 or lower	70/2	70/2	120/2	120/2	50/2	50/2	1150
42	80/2	80/2	120/2	120/2	50/2	50/2	1250
45 and 48	100/2	100/2	120/2	120/2	60/2	60/2	1300
51 and higher	140/2	140/2	120/2	120/2	80/2	80/2	1350

(c) The finished leg length of women's full-fashioned cotton hosiery shall be 30 inches with a one inch minus tolerance and a reasonable plus tolerance.

(d) The minimum length of welts shall be 3½ inches.

(e) The minimum number of needles used in knitting full-fashioned cotton hosiery shall be the full width of the needle bar of each gauge less the customary two needles at each end of the bar.

(f) Courses shall be counted in the same manner as specified in paragraph (g) of Schedule A.

(g) Heel splicings shall measure 4½ inches with ½ inch tolerance, plus or minus.

(h) All seams shall be made of a good quality two or three ply yarn with a minimum of 16 stitches to the inch.

(i) Narrowings shall not exceed the maximum number of total flare and calf narrowings for each gauge as shown in paragraph (j) of Schedule A.

(j) The reinforcement yarn in the toe shall start within 10 courses of the first toe narrowing.

(k) No lace bands, lace stripes, fancy designs or numerals are to be knit in the welt or after-welt. No picot stitches are to be placed more closely than ¾ inch apart except for the top ½ inch of the welt.

(l) None of the restrictions in paragraphs (b), (f), or (i) shall apply to the manufacture of any modified or full lace mesh constructions or to any jacquard mesh constructions or to any so-called "Non-run or Run-proof" constructions.

(m) For any spring-summer or fall-winter line, no manufacturer of women's full-fashioned cotton hosiery shall put in dye or knit ingrain more than 4 basic body colors in any one style.

SCHEDULE F—CREW SOCKS

NOTE: Schedule F added July 7, 1943.

(a) For the purpose of this schedule crew socks are defined as a distinctive type of hosiery for men, women and children made with an ankle or top section knit on any ribbing machine coarser than 1 x 1 rib and with a plain knit foot.

(b) No manufacturer shall produce any men's, women's, or children's crew socks after July 15, 1943, except in accordance with the following specifications:

(1) The use of any continuous filament rayon is not permitted.

(2) The ribbed top shall end no farther than 3 inches from the bottom of the heel.

(3) To be knit, finished, packed and shipped with straight-up tops; not with cuffed or turned down tops.

(4) No restrictions are placed on the number of needles, diameter of cylinders or counts of yarn that may be used.

(5) The range of foot sizes may include all or any of sizes 4–13.

(6) The finished leg length shall not exceed the following measurements:

Foot sizes	Maximum permissible lengths (inches)	Tolerance (inch)
4-5½	5	±½
6-7½	6	±½
8-9½	7	±½
10-11½	8	±½
12-13	9	±½

(7) For any spring-summer or fall-winter line, no manufacturer of crew socks shall knit ingrain or put in dye more than 7 basic body colors, and in staples, no more than 6 of such basic colors shall be in any one style, and in novelties no more than 4 of such basic colors shall be in any one style. No restrictions are placed upon the use of any colored yarns in the manufacture of decorative stripes in crew socks.

[F. R. Doc. 43-10927; Filed, July 7, 1943; 11:14 a. m.]

PART 3252—DISPLAYS

[General Limitation Order L-294]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, zinc, paper and paperboard, required for the production of printed matter for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3252.1 *Limitation Order L-294*—(a) *Definitions.* For the purpose of this order:

(1) "Display" means any laminated combination of printed matter and board or other material, with or without easels or braces, employed to convey a message, display merchandise, or advertise a product or service, including but not limited to point-of-sale advertising, window, counter, floor, wall or shelf displays.

(2) "Printed matter" means any paper or paperlike substance with ink applied to it by the relief, planograph, intaglio, silk screen or other stencil process, or any combination or modification thereof.

(3) "Board" means any grade or quality of chip, laminated chip, or other board employed for the production of displays, easels, braces or plane surfaces.

(4) "Easel" means any form, shape or quality of board employed in the production of displays to provide means of maintaining such displays in position.

(5) "Brace" means any form, shape or quality of board employed in the production of displays to give rigidity and reinforcement.

(6) "Back-lining" means any paper or paperlike substance mounted to the reverse side of board employed in the production of displays.

(7) "Put into process" means (i) the first application of ink to paper or paperlike substance by a printer, or (ii) the lamination of one or more sheets of unprinted paper or printed matter to board, or (iii) the fabrication or processing of any part of a display, or (iv) the assembly of any component parts of a display.

(b) *Limitations.* (1) No person shall put into process for the production of displays:

(i) Board in the manufacture of which any virgin pulp has been employed, except board in the inventory of such person on July 7, 1943.

(ii) Back-lining in the manufacture of which any kraft fiber has been employed, except back-lining in the inventory of such person on July 7, 1943.

(iii) Reinforcements or other parts (other than necessary joining hardware) containing any wood, metal or plastic, except parts in the inventory of such person on July 7, 1943.

(2) On and after July 1, 1943, no person shall put into process during any calendar quota for the production of displays:

(i) Paper or paperlike substance in excess of 66⅔ per cent of the gross weight thereof put into process by him for the production of displays during the corresponding calendar quarter of 1941: *Provided,* That such person, in any calendar quarter, may use for the production of displays up to 15 per cent more than his quota, the excess to be deducted from his quota for the succeeding calendar quarter: *And provided further,* That such person, in any calendar quarter, may use for the production of displays additional paper or paperlike substance equivalent to his less-than-quota usage in any preceding calendar quarters.

(ii) Board in excess of 66⅔ per cent of the gross weight thereof put into process by him for the production of displays during the corresponding calendar quarter of 1941.

(c) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications to the War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington, D. C., Ref: L–294.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 7th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–10928; Filed, July 7, 1943; 11:14 a. m.]

Chapter XI—Office of Price Administration

PART 1302—ALUMINUM

[MPR 2,[1] Amdt. 1]

ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 2 is amended in the following respects:

1. Section 4 is amended to read as follows:

SEC. 4. *Prohibition against dealing in secondary aluminum ingot at prices above the maximum.* On and after June 23, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver secondary aluminum ingot, and no person in the course of trade or business shall buy or receive secondary aluminum ingot, at prices higher than the maximum prices set forth in Appendix B, incorporated herein as section 15; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided,* That any person may sell and deliver, or deliver secondary aluminum ingot until August 1, 1943, at prices no higher than the maximum prices heretofore established for secondary aluminum ingot, so long as the quantity of secondary aluminum ingot delivered by such person at such prices between June 1, 1943, and July 31, 1943, inclusive, does not exceed the quantity of (a) aluminum scrap and secondary aluminum ingot which such person had on hand in his plant at the close of business on May 31, 1943, and which he reported to the War Production Board on Form PD–272, plus (b) the amount of scrap purchased under contract or other firm commitment prior to June 23, 1943, and which was not included on said inventory reported to the War Production Board on Form PD–272.

NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.

2. Section 15 (c) is amended to read as follows:

(c) *Maximum prices for certain wrought alloys and primary grade ingot*—(1) *Wrought alloys.*

	Maximum price (cents per pound)
(i) 17S	14½
(ii) 18S	14½
(iii) 32S	14½
(iv) 52S	14½

To be sold at this price, these alloys must meet the specifications set forth in the War Production Board directive of June 15, 1943, as amended from time to time thereafter.

(2) *Primary grade ingot.*

	Maximum price (cents per pound)
142	15½
355	15½
195	15

To be sold at this price, these alloys must meet the following specifications:

	Cu.	Si.	Fe.	Mg.	Mn.	Zn.	Ni.	Cr.	Ti.	Total others	Each
#142	3.5–4.5	0.50	0.50	1.2–1.8	0.1	0.1	1.7–2.3	0.25	0.20	0.15	0.05
#355	1.0–1.5	4.5–5.5	0.35	0.4–0.6	0.1	0.1	----------	0.25	0.20	0.1	0.05
#195	4.0–5.0	1.2	0.65	.03	0.2	0.1	----------	------	0.2	0.15	0.05

This amendment shall become effective July 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–10896; Filed, July 6, 1943; 3:01 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 8495.

PART 1337—RAYON

[MPR 325, Correction to Amdt. 1]

RAYON TOPS AND NOILS

Table I in § 1337.128 (b) of Amendment No. 1 to Maximum Price Regulation No. 325 is corrected to read as follows:

TABLE I—RAYON TOPS

Type	*Price per pound*
Viscose staple fiber tops:	
Lustrous, 5½ denier	$0.39
Dull, 5½ denier	.40
Lustrous, 3 denier	.40
Dull, 3 denier	.41
Acetate staple fiber tops:	
Lustrous or dull, 8 denier or less:	
Untinted	.60
Tinted	.62
Lustrous or dull, over 8 denier:	
Untinted	.625
Tinted	.645
Rayon waste tops:	
Lustrous or dull, all deniers	.355

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9320, 8 F.R. 4681)

Issued this 6th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10902; Filed, July 6, 1943; 3:01 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amdt. 112]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 is amended in the following respects:

1. Section 1340.157 (bb) is added to read as follows:

(bb) "Original supplier" means a person as defined by the Petroleum Administrator for War in Petroleum Directive No. 59.

2. Section 1340.159 (c) (3) (xxiii) is amended to read as follows:

(xxiii) *Maximum prices for No. 2 fuel oil.*

	Cents per gallon
Boston, Everett, Chelsea, Revere, and Braintree, Massachusetts:	
F. o. b. refineries and seaboard tanker terminals for delivery into barges, except on sales between original suppliers	6.45

This amendment shall become effective July 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10900; Filed, July 6, 1943; 3:02 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3718, 3795, 3845, 4130, 4131, 3841, 4252, 4334, 4783, 4918, 4840, 5386, 6044, 6120, 6543, 6617, 6673, 6849, 7199, 7351, 7382, 7489, 7264, 8184, 8377, 8874.

PART 1340—FUEL

[RPS 88,[1] Amdt. 113]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 is amended in the following respects:

1. Section 1340.157 (b) is amended by adding the following to the products listed therein:

Petroleum coke, except when sold by resellers for use as fuel.

2. Section 1340.159 (g) is added to read as follows:

(g) *Petroleum coke.* Notwithstanding the provisions of paragraph (b) above, the maximum price of a seller of petroleum coke shall be the highest price charged by the seller for petroleum coke during March 1942 (as defined in § 1340.157 (y)); *Provided, however,* That if no price was charged during March 1942, within the meaning of § 1340.157 (y), the producer's maximum price shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

This amendment shall become effective July 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10901; Filed, July 6, 1943; 3:02 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 237,[2] Amdt. 6]

FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 237 is amended in the following respects:

1. In section 2 after the head-note "*Exempt wholesalers.*", and before the sentence "This regulation shall not apply to wagon-wholesalers.", there is inserted the paragraph designation and head-note "(a) *Wagon-wholesalers.*"

2. Paragraph (b) is added to section 2 to read as follows:

(b) *Marine provisioners.* This regulation shall not apply to sales by marine provisioners. A marine provisioner is a seller at least 50% of whose business is the sale of food commodities to boat and steamship companies for the provisioning of boats, with delivery to the boats from shore locations by the use of truck and launch facilities. A seller is a marine provisioner only for the food commodities he sells in this way.

[2] 8 F.R. 6120, 6424, 7384, 7661, 8681.

This amendment shall become effective July 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10897; Filed, July 6, 1943; 3:01 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RPS 53,[3] Amdt. 36]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.151 (b) (10) (iii) is amended to read as follows:

(iii) *Marine animal oils;* Tank cars, all duties and taxes paid:

	Cents per pound
Whale oil, crude, No. 1, f. o. b. American ports	11.25
Sperm oil, crude, No. 1, f. o. b. American ports	7.75
Seal oil, No. 1, f. o. b. American ports	8.90
Menhaden, crude, f. o. b. producer's plant, Atlantic coast	8.90
Sardine oil, crude, f. o. b. producer's plant, Pacific coast	8.90
Sardine oil, hydrogenated 52°, f. o. b. producer's plant, Pacific coast	10.90
Light, cold pressed fish oil (Menhaden and Sardine), fair average quality, delivered	12.25
Herring oil, crude, f. o. b. Seattle	8.90

This amendment shall become effective July 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10899; Filed, July 6, 1943; 3:02 p. m.]

PART 1383—SHOES AND SHOE FINDINGS

[MPR 420]

HARDWOOD HEEL BLOCKS AND FINISHED HARDWOOD HEELS

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1383.1 *Maximum prices for hardwood heel blocks and finished hardwood heels.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 420 (Hardwood Heel Blocks and Finished Hardwood Heels), which is annexed hereto and made a part hereof, is hereby issued.

[3] 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200, 1972, 2875, 3251.

AUTHORITY: § 1383.1 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 420—HARDWOOD HEEL BLOCKS AND FINISHED HARDWOOD HEELS

CONTENTS

SECTION 1. *Sales of hardwood heel blocks and finished hardwood heels at higher than maximum prices prohibited.* (a) On and after July 12, 1943, regardless of any contract or other obligation, no producer shall sell or deliver and no person, in the course of trade or business, shall buy or receive from a producer any hardwood heel blocks or finished hardwood heels at prices higher than the maximum prices established by this regulation, and no person shall agree, offer or attempt to do any of the foregoing.

(b) Prices lower than the maximum prices may, of course, be charged.

SEC. 2. *To what products, transactions and geographical areas this regulation applies*—(a) *What products and transactions are covered by this regulation.* This regulation applies to sales by producers of hardwood heel blocks and finished hardwood heels, except sales of wedge heels (blocks or finished) which are exempt from the provisions of this regulation.

"Producer" means any person who turns, finishes, or in any other manner makes hardwood heel blocks or finished hardwood heels, or has them made for his own account.

"Hardwood heel block" means a turned wood product made of hard maple or yellow birch, completely shaped and ready for the application of covering material and a toplift.

"Finished hardwood heel" means a hardwood heel block to which covering material and a toplift have been applied, completely finished and suitable for attachment to a shoe.

"Custom finished hardwood heel" means a finished hardwood heel which has been produced in Brooklyn, New York, or Rochester, New York, is generally sold in small quantities and contains unusual details of style and workmanship, and is generally known in the trade as a "custom heel."

"Wedge heels" are shoe heels which extend from the back of the heel-seat to the ball of the shoe. They are attached to and support not only the heel portion of the shoe (as is the purpose of conventional heels) but also the arch or shank portion of the shoe. Wedge heels may be used with or without a platform and may be made with different treading surfaces such as "bridge, tunnel, fiddle shank, etc." They are used generally on the type of shoes known as play shoes.

(b) *What geographical areas are covered.* This regulation shall be applicable to the continental United States, but not to the territories and possessions of the United States.

SEC. 3. *Maximum prices for producers' sales of hardwood heel blocks and finished hardwood heels.* (a) Maximum prices for hardwood heel blocks are established by paragraph (b) of this section. Maximum prices for finished hardwood heels are established by paragraph (c) of this section. The prices under Column I apply to all hardwood heel blocks and finished hardwood heels produced in New England. The prices under Column II, except as otherwise provided under Column III, apply to all hardwood heel blocks and finished hardwood heels produced outside of New England. The prices under Column III apply to all custom finished hardwood heels produced in Brooklyn, New York, and Rochester, New York. All maximum prices are f. o. b. point of shipment and subject to a discount of not less than two per cent for payment within ten days from the end of the month in which shipment is made.

(b) *Maximum prices for hardwood heel blocks*—(1) *Base block prices.*

Height (based on eighths of an inch)	Column I (New England)	Column II (outside of New England) (Base price per pair)
9½ and under	$0.05	$0.0606
10	.0541	.0606
10½	.0541	.0606
11	.0541	.0606
11½	.0541	.0606
12	.0541	.0606
12½	.0541	.0606
13	.0541	.0618
13½	.0541	.0618
14	.0541	.063
14½	.0541	.063
15	.0541	.063
15½	.0583	.063
16	.0583	.0641
16½	.0583	.0641
17	.0583	.0653
17½	.0583	.0653
18	.0625	.0665
18½	.0625	.0665
19 and over	.0625	.0677

(2) *Extras for size or width.* The maximum prices in Column I, above, apply to sales of hardwood heel blocks in size runs of 4 to and including 10, size 10 being based on a 3/64 inch grading and measuring 2 inches in width. To these base block maximum prices may be added $0.00416 per pair for block sizes 11 to and including 14 and $0.01083 per pair for block sizes 15 and over.

The maximum prices in Column II, above, apply to sales of hardwood heel blocks with completed heel seat widths up to and including 2 1/16 inches. To these base block maximum prices may be added $0.0042 per pair for completed heel seat widths 2 3/16 to and including 2 5/16 inches, and $0.0067 per pair for completed heel seat widths 2 6/16 inches and over.

(3) *Extras for style.* The following additions for the specified styles may be made to the maximum prices of hardwood heel blocks established under section 3 (b) (1) and (2):

Style	Column I	Column II
Pyramid	$0.00833	$0.0075
Half Louis	.00833	.0075
Continental	.00833	.01
Dutch Boy	.0125	.0125
Breastlock	.0125	.0125
Louis	.00833	.01
Argentine	.00	.01

(4) *Extras for operations.* The following additions under Columns I and II for the specified operations may be made to the maximum prices of hardwood heel blocks established under section 3 (b) (1), (2) and (3); the following additions under Column III for the specified operations performed by the finisher may be made to the maximum prices of custom finished hardwood heels established under Column III in section 3 (c) (1), (2) and (3).

Operations	Column I	Column II	Column III
Center slot	$0.0025	$0.0025	$0.00
Steel dowel	.005	.005	.005
Wood dowel	.0075	.0075	.0075
Sanding or scouring	.00415	.00415	.00415
Machine spool[1]	.0025	.00	.00
Progressive grading[1]	.0025	.00	.00
Special deep welt cup	.C05	.00	.00
Square backs	.0025	.00	.00
Twin tuck	.01	.00	.04
Square top	.00	.005	.03
Curving	.00	.0025	.004
Rights and lefts	.00	.02	.00
Additional cup depth for each 1/32' over 9/32"	.00	.0017	.00
Welt heels	.00	.00	.03

[1] Block prices under Columns II and III include machine spooling, progressive grading and backline.

(5) *Quantity premiums and discounts.* The maximum prices established under Column II of section 3 (b) are applicable to sales in quantities of 1,200 to and including 2,500 pairs of one block on one order. These maximum prices are subject to the following quantity premiums and discounts:

Quantity:	*Premium (per pair)*
300 pairs and under	$.021
301 to 600 pairs	.0125
601 to 1,199 pairs	.0045
Quantity:	***Discount***
2,501 to 5,000 pairs	$.0008
5,001 pairs and over	.0017

(c) *Maximum prices for finished hardwood heels*—(1) *Base finished heel prices.*[1a]

[1a] Where no specific price is established for a base finished heel, its maximum price shall be determined under section 4, below.

Style	Column I	Column II	Price (per pair) Column III
Cuban Fancy 10/8—17½/8 inches	$0.13	$0.1475	$0.205
Cuban Celluloid 10/8—17½/8 inches	.149	.1725	.285
Cuban Celluloid 18/8—21/8 inches	.159	.1725	.285
Lacquer sprayed on wood 10/8—17½/8 inches	.139	.16	----------
Lacquer sprayed on wood 18/8—21/8 inches	.149	.16	----------

These maximum prices apply to finished heels with a 9 iron toplift and, if celluloid covered, with 10/1000 celluloid. Maximum prices may be increased by $0.0075 per pair for a 10½ iron top lift, by $0.02 per pair for a toplift over 3½" square and by $0.004 per pair for each 2.5/1000 celuloid over 10/1000. Maximum prices must be reduced by $0.0025 per pair for an 8 iron toplift.

(2) *Extras for style.* The following additions for the specified styles may be made to the base finished heel prices established under section 3 (c) (1):

Style	Column I	Column II	Column III
Center Slot Cuban	$0.00833	$0.00833	$0.00833
Center Slot ½ Louis	.015	.015	.015
Center Slot Louis	.03	.03	.03
Center Slot Breastlock	.03	.03	.03
Square Top	.00	.005	.03
Breastlock, Victory and Argentine	----------	.0075	.00
Breastlock, Louis, Continental and Pyramid	.00	.007	.00

(3) *Extras for operations.* The following additions for the specified operations may be made to the base finished heel prices established under section 3 (c) (1):

Operations	Column I	Column II	Column III
Leather breasting	$.015	$.015	$.015
Celluloid breasting	.00	.03	.03
Plated pressed maricane	.00333	.00	.00
Lacquer sprayed on celluloid	.005	.00	.00
Celluloid colors, all other than black	.00333	.00	.00
Kantscuff	.005	.00	.00
Spraying celluloid cement on block	.01	.00	.00
Black celluloid, lacquered and embossed	.00	.01	.02
White and colored, polished or lacquered	.00	.02	.03
White and colored, lacquered and embossed	.00	.03	.05
Black alligator and lizard, one tone	.00	.05	.06
Black alligator and lizard, two tone	.00	.07	.08
Black lacquer sprayed on wood Grade #2	.00	.01	.00
Polished before lacquer	.00	.005	.00

SEC. 4. *Maximum prices for producers' sales of hardwood heel blocks and finished hardwood heels which cannot be priced under section 3.* (a) The maximum price for a hardwood heel block or finished hardwood heel for which a maximum price is not provided in section 3 of this regulation shall be a price in line with the established maximum price for the item of most comparable construction made by the producer. Such in-line price shall be computed as follows:

(1) Calculate the cost of materials and direct labor, as defined in this subparagraph, both for the item to be priced and the comparable item. "Materials" includes only materials which become part of the item sold, such as lumber, covering material, toplift material, adhesive, nails, and slugging wire. "Cost of materials" shall be the net cost, after deducting all discounts, plus transportation charges actually paid. "Direct labor" includes all operations performed directly on the item sold. It does not include such labor as elevator, custodial and maintenance workers, firemen, engineers, truck drivers and helpers, receiving and shipping clerks, other clericals, salesmen, foremen and working foremen and other supervisory employees. In computing the cost of direct labor, the current wage rates for each class of labor must be used: *Provided, however,* That the wage rates may not be higher than those prevailing on October 3, 1942, unless approved by the War Labor Board.

(2) Obtain the difference in cost of materials and direct labor between the item being priced and the comparable item. Adjust the maximum price of the comparable item by adding or subtracting this difference, depending upon whether the cost of materials and direct labor is greater or less in the item being priced than in the comparable item. The result will be the maximum price for the item being priced.

(b) Within 30 days from the date of the first contract to sell or sale of an item priced in accordance with paragraph (a) of this section, a report shall be made to the Office of Price Administration, Textile, Leather and Apparel Price Division, Washington, D. C., containing (1) a description of the item being priced and of the comparable item; (2) a detailed statement of the cost of materials and direct labor in the item being priced and the comparable items; and (3) the method of calculating the maximum price of the new item.

(c) The reported maximum price, if found to be excessive, may be reduced by the Office of Price Administration, but if it is not disapproved within 30 days of the receipt of the report, it is approved. The seller may proceed at once, however, with sales or deliveries of the item at the maximum price he has computed, but he shall notify the buyer that the maximum price is subject to reduction by the Office of Price Administration. If the price is ordered reduced, the seller must refund any excess over the maximum price finally approved. Any maximum price established under this section shall be subject to adjustment at any time by the Office of Price Administration.

SEC. 5. *Relation to other regulations*—(a) *General Maximum Price Regulation, Maximum Price Regulation No. 157 and Maximum Price Regulation No. 196.* The provisions of the General Maximum Price Regulation,[3] Maximum Price Regulation No. 157[4] and Maximum Price Regulation No. 196,[5] shall not apply and this regulation shall apply to producers' sales and deliveries of hardwood heel blocks or finished hardwood heels.

(b) *Second Revised Maximum Export Price Regulation.* The maximum price for export sales of hardwood heel blocks or finished hardwood heels is governed by the Second Revised Maximum Export Price Regulation[6] issued by the Office of Price Administration.

SEC. 6. *Licensing*—(a) *License required.* A license as a condition of selling is required of every producer selling any hardwood heel blocks or finished hardwood heels for which a maximum price is established by this regulation. No producer whose license is suspended in proceedings under section 205 (f) (2) of the Emergency Price Control Act of 1942 shall, during the period of suspension, sell any commodities as to which his license to sell is suspended.

(b) *License granted.* Every producer selling any hardwood heel blocks or finished hardwood heels for which a maximum price is established by this regulation is granted a license as a condition of selling any such hardwood heel blocks or finished hardwood heels. The provisions of this regulation shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on the effective date of this regulation or when any such producer becomes subject to the maximum price provisions of this regulation, and shall, unless suspended in accordance with the provisions of the Emergency Price Control Act of 1942, remain in effect as long as this regulation, or any applicable part, amendment or supplement remains in effect.

SEC. 7. *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of license provided for by the Emergency Price Control Act of 1942.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War Procurement agencies" include the War Department, the Department of the Navy, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

SEC. 8. *Invoices.* Every producer shall, in connection with every sale of hardwood heel blocks or finished hardwood heels deliver an invoice to the purchaser showing (1) the date of sale, (2) the name and address of the seller and the purchaser, (3) the shipping terms, (4) the terms of sale, (5) the quantity, the selling price, and an identification of each different hardwood heel block or finished hardwood heel sold, including a listing, by name, of any extras included in the selling price.

SEC. 9. *Records.* Every seller must keep a duplicate of the invoice delivered in connection with every sale and every buyer, in the course of trade or business, must keep the invoice received in connection with every purchase for which a maximum price is established by this regulation. All such records must be

[3] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047.

[4] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948; 8 F.R. 3948.

[5] 7 F.R. 6078, 7254, 8016, 8945.

[6] 8 F.R. 4132, 5987.

kept available for inspection by the Office of Price Administration for a period of three years.

SEC. 10. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration.

SEC. 11. *Prohibited practices.* Any practice which is used as a device to effect a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

SEC. 12. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by the official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

Effective Date

This regulation shall become effective July 12, 1943.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10893; Filed, July 6, 1943; 3:00 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[2] Amdt. 62]

MILEAGE RATIONING; GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7851 (b) (2) (v) is revoked.

2. Section 1394.7851 (c) (4) is amended by substituting for the words "or paragraph (b) (2) (i), (ii), (iii) or (v)" the words "or paragraph (b) (2) (i), (ii) or (iii)."

This amendment shall become effective July 12, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 6th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10898; Filed, July 6, 1943; 3:02 p. m.]

PART 1397—CONSTRUCTION OF BUILDINGS AND STRUCTURES

[MPR 251,[3] Amdt. 2]

CONSTRUCTION AND MAINTENANCE SERVICES AND SALES OF BUILDING AND INDUSTRIAL EQUIPMENT AND MATERIALS ON AN INSTALLED OR ERECTED BASIS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 251 is amended in the following respect:

1. Section 1397.68 is amended to read as follows:

§ 1397.68 *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* Any person who had made or intends to make a Government contract or subcontract thereunder, who believes that a maximum price established under this regulation impedes or threatens to impede the production, manufacture, or distribution of a commodity or the supply of a service which is essential to the war program and which is or will be the subject of the contract or subcontract, may file an application for adjustment of that maximum price in accordance with Procedural Regulation No. 6,[1] issued by the Office of Price Administration.

(b) *Local shortage.* The Office of Price Administration, or any duly authorized representative thereof, may by order adjust any maximum price established under this regulation for any seller who shows:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of any building or industrial equipment or materials on an installed or erected basis or the supply of any construction service which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such commodity or service; and

(3) Such adjustment will not create or tend to create a shortage, or a need for increases in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this paragraph (b).

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.[2]

(c) *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

This amendment shall become effective July 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10894; Filed, July 6, 1943; 3:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Amdt. 192]

TEA BAGS AND PACKAGED TEA

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Supplementary Regulation No. 14 is amended in the following respects:

1. Section 1499.73 (a) (88) (vi) is added to read as follows:

(vi) *Maximum prices for tea bags and packaged tea of brands of tea formerly blended from the less expensive teas.* (*a*) Tea packers' maximum delivered prices on brands of tea for sales to wholesalers which heretofore have been lower than those listed in Column A, if such brands are now blended from Ceylon, India or Travencore teas, shall be as set out in Column A;

(*b*) Tea packers' maximum delivered prices on brands of tea for sales to retailers, restaurants and institutions which heretofore have been lower than those listed in Column B, if such brands are now blended from Ceylon, India or Travencore teas, shall be as set out in Column B.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10338, 10706, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1365, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3201, 3253, 3255, 3254, 3315, 3616, 4189, 4341, 4850, 4976, 5267, 5268, 5486, 5564, 5756, 6261, 6179, 6441, 6846, 6687, 7390, 8680, 7455, 8009, 8180, 9021, 9022, 9065.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8878, 8 F.R. 3628.

[2] 7 F.R. 5087, 5664, 8 F.R. 6173, 6174.

[1] 7 F.R. 8961, 8 F.R. 3313, 3533, 6173.

	Maximum prices per thousand bags	
	Column A	Column B
8 tea bags to a package (200 tea bags to the pound)	6.75	7.00
16 tea bags to a package (200 tea bags to the pound)	6.45	6.70
48 tea bags to a package (200 tea bags to the pound)	6.15	6.40
100 tea bags to a package (200 tea bags to the pound)	6.15	6.40
100 tea bags to a package (250 tea bags to the pound)	5.75	6.00

	Maximum prices per 16 tea bags	
	Column A	Column B
1 oz. tea bags	.80	.83

	Maximum prices per dozen packages	
	Column A	Column B
4 oz. packaged tea	2.16	2.25
1¾ oz. packaged tea	.77	.80

Prices set out above are maximum prices delivered to the customer's usual place of acceptance. In calculating the maximum prices for a sales unit, fractions of ½ cent or more shall be raised to the next higher cent and fractions of less than ½ cent shall be lowered to the next lower cent. The above prices shall be reduced by those discounts for cash or prompt payment which have been customarily allowed for such brands.

This amendment shall become effective July 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10895; Filed, July 6, 1943; 3:00 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 270,[1] Amdt. 6]

DRY EDIBLE BEANS, SALES EXCEPT AT WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 270 is amended in the following respects.

1. In § 1351.1203 (a), two items are amended to read as follows:

Marrow beans (not including red marrow):
- U. S. choice hand picked 7.25
- U. S. No. 1 ..... 7.15
- U. S. No. 2 ..... 7.00
- U. S. No. 3 and lower 6.75

Yelloweye beans:
- U. S. choice hand picked 7.25
- U. S. No. 1 ..... 7.15
- U. S. No. 2 ..... 7.00
- U. S. No. 3 and lower 6.75

2. Section 1351.1203 (b) is amended to read as follows:

(b) For dry edible beans which are packed in the following containers, the following amounts may be added to the maximum prices listed in paragraph (a) of this section:

Size of container:	*Amount permitted to be added (per cwt.)*
(1) Up to 2 pounds	$2.00
(2) 3 pounds	1.60
(3) 5 pounds	1.45
(4) 25 pounds	.30

The differentials listed above for special packages are applicable to all sellers covered by this regulation who package dry edible beans in the above-listed container sizes.

This amendment shall become effective July 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 6th day of July 1943.

PRENTISS M. BROWN,
Administrator.

Approved: June 26, 1943.

JESSE W. TAPP,
Acting Administrator,
War Food Administration.

[F. R. Doc. 43-10907; Filed, July 6, 1943; 4:37 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 1-1, Amdt. 1]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN RHODE ISLAND

For the reasons set forth in the statement of considerations issued simultaneously herewith and under the authority vested in the Rhode Island District Director by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50, section (e), *It is hereby ordered,* That the above regulation be amended as follows:

1. Section 1 is hereby amended to read as follows:

SECTION 1. *What this regulation does.* This regulation fixes the maximum or ceiling prices that may be asked, charged or received for "food items" or "meals" by any person who operates an eating or drinking place in the State of Rhode Island. The words "your" and "you" in this regulation refer to such persons. "Eating or drinking place" includes any place, establishment, or location, whether temporary or permanent, from which any food item or meal is sold, except those places which are specifically exempted by section 17 hereof. The maximum prices which you may charge for any "food item" including any beverage, or "meal" are governed by the provisions of this regulation. Prices lower than ceiling prices may, of course, be asked, charged or received. "Food items" and "meals" as well as certain other terms used in this regulation are defined or explained in section 15. The seven-day period beginning April 4, 1943 and ending April 10, 1943 is called the "seven-day period" and ceiling prices fixed by this regulation are based on prices charged in this period. This regulation shall not supersede or amend General Order No. 50 issued by the Office of Price Administration or any provision thereof except insofar as the provisions of this regulation are inconsistent therewith.

2. Section 15 (f) is hereby amended to read as follows:

(f) "Proprietor" means any person who owns or operates any eating or drinking place located in the State of Rhode Island except those places specifically exempted by section 17 hereof.

3. Section 17 is hereby amended to read as follows:

SEC. 17. *Exempt sales.* Sales at the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places located on church premises and operated solely in connection with church, Sunday school and other religious occasions.

(b) Hospitals, except for food items and meals served to persons other than the patients, when a separate charge is made for such food items and meals.

(c) Eating and drinking places (when operated as such) located on board common carriers, including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(d) Eating and drinking places owned and operated by charitable, religious or cultural organizations such as the United Service Organization, Red Cross or similar organizations selling food items or meals on a non-profit basis primarily to members of the Armed Forces.

(e) Bona fide fraternity or sorority houses located at a recognized school, college or university insofar as such houses sell only to members and bona fide guests of members. Whenever such houses sell to persons other than members or bona fide guests of members, such houses shall be considered for all sales an eating or drinking place within the meaning of this regulation. No such house shall be considered to be exempt within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and otherwise is operated as a fraternity or sorority house.

4. Section 18 is hereby added to read as follows:

SEC. 18. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1061, 2335, 3106, 3370, 4732, 5810.

price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the Administrator or the District Director, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

5. Section 19 is hereby added to read as follows:

SEC. 19. *Revocation.* This regulation may be revoked, amended or corrected at any time.

This amendment to Restaurant Maximum Price Regulation No. 1-1 shall become effective June 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of June 1943.

CHRISTOPHER DEL SESTO,
District Director.

[F. R. Doc. 43-10908; Filed, July 6, 1943; 4:38 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 3-6]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION, DESIGNATED COUNTIES IN MICHIGAN

In the judgment of the Regional Price Administrator of Region III, the prices of food and beverages sold for immediate consumption in the counties of Clinton, Eaton, Hillsdale, Ingham, Jackson, Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne in the State of Michigan have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the Regional Administrator of Region III, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act. So far as possible, the Regional Administrator of Region III gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living" (7 F.R. 7565), 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the Regional Price Administrator of Region III hereby issues this Restaurant Maximum Price Regulation No. 3-6, establishing as maximum prices for food and drink sold for immediate consumption in the counties mentioned above the prices prevailing therefor during the seven-day period beginning April 4, 1943 and ending April 10, 1943.

§ 1448.206 *Maximum Prices for food and drink sold for immediate consumption.* Under the authority vested in the Regional Administrator of Region III by the Emergency Price Control Act of 1942 as amended, Executive Order 9250, Executive Order 9328 and General Order No. 50 issued by the Office of Price Administration, Restaurant Maximum Price Regulation No. 3-6 (Food and Drink Sold for Immediate Consumption), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1448.206 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

RESTAURANT MAXIMUM PRICE REGULATION NO. 3-6—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

CONTENTS

SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" including any beverage) or "meal" at a price higher than the highest price at which you offered the same food item or meal in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943. You must not offer or sell any other food item or meal at a price higher than the ceiling price which you figure according to the directions in the next section (section 2). You may, of course, sell at lower than ceiling prices.

SEC. 2. *How you figure ceiling prices for food items and meals you did not sell in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer in the seven-day period, as follows:

(a) If you served the same food item or meal within thirty days prior to April 4, 1943, you shall take as your ceiling price the last price at which you offered the same food item or meal during said thirty-day period.

(b) If you did not sell or offer to sell the food item or meal either during the seven-day period, or the thirty-day period, then you choose from the food items or meals for which a ceiling price has already been fixed, the food item or meal which is most similar to the food item or meal you are pricing; and

(c) Figure a price which is "in line" with the price of that most similar food item or meal. A price is "in line" if the customer receives as much value for his money from the one item or meal as from the other, even though the two prices may be different. In comparing values, quality, size of portions, and the margin over food cost are the things that count;

(d) Once your ceiling price for a food item or meal has been fixed, it may not be changed.

SEC. 3. *Classes of food items and meals.* See definition of "food item" and "meal" contained in section 15.

(a) The classes of food items are as follows:

Breakfast Items

(1) Fruits and fruit juices.
(2) Cereals.
(3) Egg and combination egg dishes served at breakfast.
(4) Breads, rolls, toast, etc., served at breakfast.
(5) All other breakfast dishes.

Other Items

(6) Appetizers and cocktails.
(7) Soups.
(8) Beef.
(9) Pork.
(10) Lamb, mutton.
(11) Veal.
(12) Poultry.
(13) Fish and shellfish.
(14) Miscellaneous and variety meats including liver, kidneys, and made dishes such as stews, casseroles, etc.
(15) Egg and cheese dishes which might be served as a main dish or entree in a meal.
(16) All other dishes which might be served as a main dish or entree in a meal, such as spaghetti, vegetable plate, baked beans, chop suey, etc.
(17) Potatoes.
(18) All other vegetables.
(19) Bread and butter.
(20) Salads (except as served as main course in a meal).
(21) Cakes, cookies, pies, pastries and other baked goods.
(22) Ice cream and all fountain items.
(23) All other desserts including fruits, puddings, cheese, etc.
(24) Hot sandwiches including hamburgers and frankfurters.
(25) Cold sandwiches.
(26) All other food items.

Beverages

(27) Non-alcoholic beverages.
(28) Beer and other malt beverages.
(29) Wines.
(30) Other alcoholic beverages.

(b) *The classes of meals.* For the purposes of this regulation there shall be ten classes of meals; namely, breakfast,

lunch, tea, dinner, and supper during the week days, and breakfast, lunch, tea, dinner and supper on Sundays.

(c) *Legal holidays.* Your ceiling prices for food items or meals served on those days designated legal holidays by Federal law or the law of the State in which the establishment is located may be the same as your Sunday ceiling prices for such establishment.

SEC. 4. *No ceiling price to be higher than the highest price in the base period.* Under no circumstances are you permitted to charge a higher price for a food item or meal which you did not offer in the seven-day period than the highest price at which you offered a food item or meal under the same class during the seven-day period, except that, if, during the thirty-day period immediately prior to April 4, 1943, you served a food item or meal at a price higher than the highest price charged for food items or meals in the same class during the aforesaid seven-day base period, then you may continue to sell that same food item or meal at the higher price. In any such case, your records, as set forth in section 9 (b) herein, must include the menu or information showing the previous offering of such food item or meal at the higher price.

Example 1. If you figured an "in line" price for a week day at $1.25, and your highest price in the week day dinner class is $1.00, your ceiling price for the new dinner is $1.00.

Example 2. If during the seven-day period your highest price for soup was 15 cents, you may not offer any soup at a price higher than 15 cents.

Example 3. If during the seven-day period your highest price for a week day dinner was $1.25 in general, that is the highest price you may charge for any week day dinner. If, however, you served a chicken dinner at $1.50 on any week day within 30 days prior to April 4, 1943, then you may continue to serve the same chicken dinner at $1.50 even though that is a higher price than any price charged for the same class dinner during the seven day period. But you may not add a new meal not served the 30-day period, at a price in excess of $1.25. Observe the requirement that a supporting menu (or price list) be made available to justify such exception.

SEC. 5. *Prohibition against discontinuing meals at certain prices.* You must not now discontinue offering meals at prices comparable to those charged by you in the seven-day period if by your doing so your customers would actually have to pay more than they did in the seven-day period. You will be in violation of this rule unless:

(a) You continue to offer meals at different prices representative of the range of prices at which you offered meals of the same class during the seven-day period, and unless

(b) You continue to offer on week days at least as many different meals at or below the lowest price charged by you for meals of the same class on any week day that you select in the seven-day period, as you did on that day.

(c) You continue to offer on Sundays and legal holidays at least as many different meals at or below the lowest price charged by you for meals of the same class on Sunday, April 4, 1943, as you did on that day.

Example: Thus, you may select any week day in the seven-day period as the base day for week-day meals.

If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, $1.00, $1.10, $1.15 you must continue to offer at least two week-day dinners at 85¢.

SEC. 6. *Evasion.* (a) You must not evade the provisions of this regulation by any scheme or device, including:

(1) Deteriorating quality or reducing quantity without making appropriate reductions in price;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking, or other special charges, or making such charges when they were not in effect in the seven-day period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals, except that you may refuse to sell coffee unless a customer also purchases another food item;

(5) Refusing to sell combinations of food items as meals if such meals were offered in the seven-day period and the items making up the combination are being offered separately.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of those things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal;

(2) You may limit your customers to one pat of butter per meal;

(3) You may reduce the quantity or eliminate altogether, ketchup, chili sauce, and any other condiment which is rationed;

(4) You may reduce the amount of sugar served with each cup of coffee or tea to, but not less than, one teaspoonful.

(c) You must not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these items at an additional charge. For example, if during the seven-day period you furnished ketchup, you may not discontinue furnishing this item free and at the same time offer to furnish it for an additional charge.

SEC. 7. *Rules for new proprietors.* (a) If you acquire another's business and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If you operate a concession in conjunction with a public event and were not in operation during the base period, you shall establish your prices in line with a similar type of eating and drinking place operating during the time of the base period. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the prices of food and drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 9 and the posting requirements of section 10 immediately upon the opening of your place.

SEC. 8. *Taxes.* If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or in the business of selling food or drink, if the tax is measured by the number or price of items or meals.

SEC. 9. *Records.* You must observe all the record keeping requirements of General Order No. 50. This order requires among other things that you do the following:

(a) *Customary records.* You must preserve all your existing records relating to your prices, costs, and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(b) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must prepare in duplicate and make available for such examination a list of the highest prices you charged in the seven-day period.

(c) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. If your establishment is in Wayne County, Michigan, and you were subject to the provisions of Restaurant Maximum Price Regulation No. 3-3, and accordingly maintained records similar to the above for the effective period of said Restaurant Maximum Price Regulation No. 3-3, you shall also preserve such records for future reference.

SEC. 10. *Posting.* (a) If you made menus available to customers in the seven-day period April 4 to April 10, inclusive, you shall continue to make them available. All menus shall include prices for meals and food items offered.

(b) Within one week after the effective date of this order:

(1) Your menus must contain in clear and legible printing or writing, the following statement:

All prices listed are at or below our ceiling price, which, by OPA regulation, are the highest prices we charged for the same item or meal from April 4 to April 10, 1943. Our records of prices for such period are available for your inspection.

(2) In addition to the above statement, whenever a meal or food item appears on a menu or price list at a price below the ceiling price, an asterisk shall appear beside the price. The asterisk shall be explained on the menu by clear and legible printing or writing as follows: *Below Our Ceiling Price.

(c) If you did not use menus during the April 4–10 period, you may either (1) institute the use of menus, abiding by the foregoing requirements, or (2) you must post a price list including prices for all meals and food items offered, near the cashier's desk, if any, or in such other location in your establishment that it may be easily seen and read by customers at the time of purchase. Such price list shall conform to the requirements of paragraph (b) above.

(d) If your establishment is in Wayne County, Michigan, and you were subject to the provisions of Restaurant Maximum Price Regulation No. 3–3, you must comply with the above posting provision as of the effective date hereof.

SEC. 11. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 12. *Relation to other maximum price regulations.* The provisions of this regulation shall not apply to any sale for which a maximum price is established by any other regulation, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration.

For example, bottles of milk and beer remain subject to the GMPR as amended.

SEC. 13. *Geographical application.* The provisions of this order shall be applicable to all eating and drinking places (as hereinafter defined in section (15) (e)) located in the Counties of Clinton, Eaton, Hillsdale, Ingham, Jackson, Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne in the State of Michigan.

SEC. 14. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Definitions and explanations.* (a) "Person" means individual, corporation, partnership, association or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal." Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Eating and drinking place" shall include any place, establishment or location, whether temporary or permanent, from which any food item or meal is sold, except those which are specifically exempted in section (16) hereof. It shall include by way of example, but not by way of limitation, such movable places where food is dispensed as field kitchens, lunch wagons, "Hot Dog" carts, etc.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 16. *Exemptions.* Sales by the following eating or drinking places are specifically exempted from the provisions of this regulation:

(a) Eating and drinking places located on church, temple or synagogue premises and operated in connection with special church, temple or synagogue, Sunday School or other religious occasions.

(b) Railroad dining cars.

(c) Hospitals, except for food items and meals served to persons other than the patients, when a separate charge is made for such food items and meals.

SEC. 17. *Provision for amendments and adjustments*—(a) *Amendments.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the reduction of the maximum price of any food items or items or meal or meals sold or offered for sale by any seller or sellers when, in the judgment of the Administrator, such action is necessary or desirable to prevent excessive charges, to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

(b) *Adjustments.* The Office of Price Administration may adjust the maximum prices for any eating or drinking establishment under the following circumstances:

(1) The establishment will be forced to discontinue operations unless it is granted an adjustment of the maximum prices established by this regulation.

(2) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your Office of Price Administration District Office an application in duplicate. The application should contain the following information:

(1) Your name and address.

(2) A description of your eating establishment, including the type of service rendered, such as cafeteria, table service, etc.; classes of meals offered, such as breakfast, lunch and dinner; number of persons served per day during the most recent thirty-day period (in counting the number of persons served, anyone who was served more than once is to be counted separately for each occasion he was served); and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and requested adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

Applications for adjustment under this section may be acted upon by the Regional Administrator or by any District Director who has been authorized to do so by order of the Regional Administrator.

SEC. 18. *Licensing.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Restaurant Maximum Price Regulation Number 3–6.

SEC. 19. *Revocation.* This regulation supersedes and replaces and revokes Restaurant Maximum Price Regulation No. 3-3 which became effective the 12th day of May 1943, and which was applicable to Wayne County, Michigan, only: *Provided, however,* That this regulation shall not annul, invalidate, interfere with or otherwise affect any action or proceedings undertaken, or any cause of action which may have arisen thereunder.

Effective date. This regulation shall be effective June 29, 1943.

NOTE: The reporting provisions of this regulation have been approved by the Bu-

reau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 22d day of June 1943.

BIRCKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 43-10909; Filed, July 6, 1943; 4:34 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 4-1, Amdt. 2]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN CERTAIN SOUTHERN STATES

For the reasons set forth in the statement of considerations issued simultaneously herewith, and under the authority vested in the Regional Price Administrator of Region IV by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order 50, section (e), *It is hereby ordered,* That Restaurant Maximum Price Regulation 4-1 be amended by adding two new paragraphs to section 17 to be known as paragraphs (e) and (f) as set forth below:

(e) Eating and drinking places operated by any school, college or university which is a non-profit institution (that is, where no part of the net earnings inures to the benefit of any private shareholder or individual), which sells food items or meals on a non-profit or cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to students, faculty members and employees of such institution. For purposes of this paragraph, persons receiving instruction on the premises of such institution by arrangement with the War Department or Department of the Navy shall be considered students.

(f) Eating cooperatives formed by officers in the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual), which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to officers who are members of the cooperative.

This Amendment 2 to Restaurant Maximum Price Regulation No. 4-1 shall become effective June 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of June 1943.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 43-10910; Filed, July 6, 1943; 4:38 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Rev. Restaurant MPR 7-1, Amdt. 1]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN CERTAIN WESTERN STATES

Pursuant to the Emergency Price Control Act of 1942, as amended, and paragraph (e) of General Order No. 50, and for the reasons set forth in a Statement of Considerations isued simultaneously herewith, it is hereby ordered that the above described regulation be amended in the following respects:

1. A new section designated section 8a is added to read as follows:

SEC. 8a. *Seasonal eating and drinking places*—(a) *Exempt places.* If you are the proprietor of a seasonal eating or drinking place that:

(1) Was not open during the base period from April 4 to 10, 1943.

(2) Receives 90 percent or more of its total annual revenue during four calendar months of the year,

(3) Is located in an area for which no Maximum Rent Regulation has been issued,

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order No. 50, and you are still subject to the provisions of section 19 of this regulation. Pursuant to this latter section the Administrator will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a) you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2 and 3.

(2) If the place was not in operation during the base period from April 4 to April 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 8 (b).

(3) If you cannot price under subparagraphs (1) or (2) above, you must apply for a price to the OPA District Office for the area in which the place is located.

2. *Right to revoke or amend.* This amendment may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

This amendment shall become effective on June 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-10913; Filed, July 6, 1943; 4:37 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[Service Order 127-C]

MOVEMENT OF POTATOES FROM NORTH CAROLINA AND VIRGINIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of July, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 127 of May 31, 1943 (8 F.R. 7356), as amended by Service Order No. 127-A of June 11, 1943 (8 F.R. 8083, 8277), and Service Order No. 127-B of June 22, 1943 (8 F.R. 8684), and good cause appearing therefor: *It is ordered,* That:

Section 95.20 as amended, prohibiting the movement of potatoes from North Carolina and Virginia, except under permit, is hereby vacated and set aside.

It is further ordered, That this order shall become effective at 12:01 a. m., July 7, 1943, that copies of this order and direction shall be served upon all common carriers by railroad and upon all tariff publishing agents for common and contract motor carriers serving the States of North Carolina and Virginia and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that a copy of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-10933; Filed, July 7, 1943; 11:17 a. m]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1991]

BUTTERWORTH COAL COMPANY

NOTICE OF AND ORDER FOR HEARING AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of Butterworth Coal Company for permission to mix the coals produced at the Mine Index No. 3529 with the coals of Mine Index No. 73 for rail shipment.

An original petition and an amendment thereto, pursuant to the Bituminous Coal Act of 1937, having been duly filed with the Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 5, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal

Division, Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is ordered, That W. A. Cuff, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of facts and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petition of intervention shall be filed with the Bituminous Coal Division on or before July 31, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the original petition and an amendment thereto filed with the Division by Butterworth Coal Company, a code member in District No. 1, requesting permission to mix the coals produced at Mine Index No. 3529 of Frank De Petro with the coals produced at Mine Index No. 73 of Butterworth Coal Company, for shipment by rail, at Garman, Pennsylvania, on the Pennsylvania Railroad.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck, is supplemented to include the price classifications and minimum prices in the schedule marked Temporary Supplement R annexed hereto and made a part hereof.

Notice is hereby given that applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: July 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10925; Filed, July 7, 1943; 11:03 a. m.]

[Order No. 355]

DISTRICT BOARD 7

DESIGNATION OF EMPLOYEE MEMBER

An order amending Order No. 327, as amended, with respect to the designation of the employee member of District Board No. 7.

The United Mine Workers of America, pursuant to Order No. 327 (6 F.R. 3044) of the Bituminous Coal Division, Department of the Interior, having selected George J. Titler for appointment as member of District Board No. 7, vice William Blizzard, *It is ordered:*

1. That paragraph 2 of said Order No. 327 be and the same is hereby amended by substituting opposite the words "District 7—Southern Numbered 1:" the name of George J. Titler, Raleigh County Bank Building, Beckley, West Virginia, vice William Blizzard, Box 1332, Charleston, West Virginia.

2. That, except as modified by Orders No. 331 (6 F.R. 3455), No. 346 (8 F.R. 3074), and No. 354 (8 F.R. 6063), and by this order, Order No. 327 shall remain in full force and effect.

Dated: July 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10924; Filed, July 7, 1943; 11:03 a. m.]

Office of the Secretary.

[Order 1840]

OPERATION OF MINES

HEALTH AND SAFETY OF WORKERS

JULY 5, 1943.

Pursuant to the provisions of Executive Order No. 9340 of May 1, 1943 (8 F.R. 5695), and to carry out its purpose, I hereby order that

(1) Operating managers of mines in the possession of the Government shall operate the mines in full compliance with State and Federal laws and regulations for the protection of the health and safety of the workers; and

(2) Operating managers shall report to the Bureau of Mines of the Department of the Interior the extent to which they have complied with the recommendations made as a result of inspection of the mines by a Federal Coal Mine Inspector. The report shall be made within such time as the recommendations shall specify and if no time is specified, within 60 days after the receipt of such recommendations in writing.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 43-10906; Filed, July 6, 1943; 4:05 p. m.]

CIVIL AERONAUTICS BOARD.

[Dockets Nos. 314, 424, 414, 521, 522, 532, 537]

TRANSCONTINENTAL & WESTERN AIR, INC. ET AL.

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Transcontinental & Western Air, Inc., Western Air Lines, Inc., and United Air Lines Transport Corporation for certificates and amendment of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938 as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding which has been reopened for reargument and reconsideration on the basis of the present record, that further oral argument is assigned for July 14, 1943, 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., July 5, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-10923; Filed, July 7, 1943; 10:27 a. m.]

[Docket No. 695]

WESTERN AIR LINES, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the petition of Western Air Lines, Inc., for an order fixing and determining the fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, over routes Nos. 13, 19 and 52.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned for July 26, 1943, 10 a. m. (eastern war time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW, Washington, D. C., before the Board.

Dated Washington, D. C., July 5, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-10922; Filed, July 7, 1943; 10:27 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-230]

TENNESSEE GAS AND TRANSMISSION COMPANY

ORDER REOPENING HEARING AND SETTING DATE THEREOF

JULY 5, 1943.

It appearing to the Commission that the Applicant in this proceeding, Ten-

nessee Gas and Transmission Company, for a certificate of public convenience and necessity under Section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of facilities for the transportation and sale of natural gas in interstate commerce, has made a partial showing for such a certificate upon the record heretofore made, all of which matters are more fully set out in the Commission's Opinion and Finding No. 93, which is hereby referred to and made a part hereof by reference.

The Commission, having considered the application filed, the testimony and evidence adduced at the public hearings hereon heretofore held, and the record made herein, orders that:

(A) Further hearings in this proceeding be held commencing on September 8, 1943, at 9:45 a. m. (e. w. t.) in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C., upon the Applicant's ability to meet the requirements referred to in the Commission's above cited Opinion and Finding;

(B) If prior to the hearing date fixed in item (A) hereof, the Applicant desires to go forward with the presentation of further evidence upon the pertinent issues, upon ten days' notice thereof the date for hearing may be advanced by the Commission;

(C) Interested State commissions and interveners of record may continue participation in this proceeding, as provided in the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-10921; Filed, July 6, 1943; 2:35 p. m.]

INTERSTATE COMMERCE COMMISSION.

[Special Permit 35 Under Service Order 123]

COMMON CARRIERS BY RAILROAD

REICING OF POTATOES IN TRANSIT

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.307) of Service Order No. 123 of May 14, 1943, as amended, permission is granted for:

Any common carrier by railroad to reice once in transit after the first or initial icing NRC 10425, ART 15977, ART 16003, ART 17084, ART 17736, PFE 19876, ART 20689, ART 24054, FGE 31536, FGE 33986, PFE 43054, NRC 5820, PFE 93126, ART 16761, PFE 31561, NRC 15571, and ART 358 containing potatoes now on Chicago Produce Terminal Company tracks, Chicago, Illinois; The Alton Railroad Company (Henry A. Gardner, Trustee) to reice once in transit after the first or initial icing FGE 15355 containing potatoes now on Jefferson Street Team Track, Chicago, Illinois, all consigned to Edward H. Anderson & Co., Chicago.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

Issued at Washington, D. C., this 26th day of June 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-10929; Filed, July 7, 1943; 11:17 a. m.]

[Special Permit 36 Under Service Order 123]

COMMON CARRIERS BY RAILROAD

REICING OF POTATOES IN TRANSIT

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.307) of Service Order No. 123 of May 14, 1943, as amended, permission is granted for:

Any common carrier by railroad to reice once in transit after the first or initial icing NADX 903 containing potatoes now on Chicago Produce Terminal Company tracks, Chicago, Illinois, consigned National Tea Co. or La Mantia Bros. Arrigo Co., Chicago.

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

Issued at Washington, D. C., this 26th day of June 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-10930; Filed, July 7, 1943; 11:17 a. m.]

[Special Permit 37 Under Service Order 123]

COMMON CARRIERS BY RAILROAD

REICING OF POTATOES IN TRANSIT

Pursant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.307) of Service Order No. 123 of May 14, 1943, as amended, permission is granted for:

Any common carrier by railroad to accord a second reicing in transit after the first or initial icing and one reicing of MDT 21371, MDT 5719, SFRD 24922, and PFE 74478 containing potatoes from Shafter, California, now on the Chicago Produce Terminal Company tracks, Chicago, Illinois, consigned to M. Lapidus & Sons, Chicago.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

Issued at Washington, D. C., this 26th day of June 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-10931; Filed, July 7, 1943; 11:17 a. m.]

[Special Permit 38 Under Service Order 123]

MISSOURI PACIFIC RAILROAD COMPANY

REICING OF POTATOES IN TRANSIT

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.307) of Service Order No. 123 of May 14, 1943, as amended, permission is granted for:

The Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) to reice once, but not to exceed 2,000 pounds, after the first or initial icing NWX 70529 containing potatoes shipped by Clarksville Produce Co., Clarksville, Arkansas, consigned to C. T. More, St. Louis, Missouri; also to reice once in transit after the first or initial icing SFRD 7021 containing potatoes shipped by Arkansas Central Cooperative Association, Inc., Strong, Arkansas, consigned to C. H. Robinson Co., St. Louis, Missouri for reconsignment to Fargo, North Dakota; also to reice once in transit after the first or initial icing ART 18265 containing potatoes shipped by Arkansas Centran Cooperative Association, Inc., Arkadelphia, Arkansas, consigned to C. H. Robinson Co., St. Louis, Missouri, for reconsignment to Minneapolis, Minnesota; also to accord a second reicing after the first or initial icing and one reicing of SFRD 17590 containing potatoes shipped by Burns & Bay, Dinuba, California, consigned to Max Rudin, St. Louis, Missouri, for reconsignment; also to reice once in transit after the first or initial icing MDT 20252 containing potatoes shipped by Burns & Bay, Shafter, California, consigned to Schwartz Produce Co., St. Louis, Missouri, for reconsignment.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

Issued at Washington, D. C., this 28th day of June, 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-10932; Filed, July 7, 1943; 11:17 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional, District, and State Office Orders.

[Region IV Order G-3 Under MPR 154 as Amended]

ICE IN NORLINA, NORTH CAROLINA AREA

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the District Director of the Office of Price Administration, Raleigh, North Carolina by order issued by the Atlanta Regional Office pursuant to § 1393.8 (e) of Maximum Price Regulation No. 154 as amended, *It is hereby ordered:*

(a) On and after the effective date of this order the maximum price for ice delivered in the Norlina, North Carolina area shall be as follows:

300 lbs. (1 block)	$1.50
150 lbs. (½ block)	.75
100 lbs	.60
75 lbs	.45
50 lbs	.35
25 lbs	.20
15 lbs	.15

(b) *Definitions.* (1) "The Norlina, North Carlina area" means all of Warren County, North Carolina and all of that portion of Vance County, North Carolina lying and being situate north of a line extending from the east boundary of said Vance County westerly through and including the town of Middleburg, Vance County, North Carolina and parallel with the North Carolina-Virginia State Line to the west bounary of said Vance County.

(2) Unless the context otherwise requires the definitions set forth in § 1393.10 of Maximum Price Regulation No. 154 as amended shall apply to the terms used herein.

(c) Every seller whose maximum price for ice is established by this Order shall keep posted at a conspicuous place in his place of business a copy of this order.

(d) Except as otherwise provided herein all transactions subject to this order shall remain subject to all of the provisions of Maximum Price Regulation No. 154 as amended together with all amendments and orders that have been heretofore issued or may be hereafter issued.

(e) This order may be revoked, amended or corrected at any time.

This order shall become effective June 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of June 1943.

THEODORE S. JOHNSON,
District Director.

[F. R. Doc. 43-10916; Filed, July 6, 1943; 4:42 p. m.]

[Region VII Order G-1 Under MPR 122]

BITUMINOUS COAL IN UINTAH COUNTY, UTAH

Order No. G-1, issued under § 1340.257 (b) (3) of Maximum Price Regulation No. 122—Solid Fuels Delivered from Facilities other than Producing Facilities—Dealers; order modifying price for certain bituminous coal sold in Uintah County, Utah (formerly Order No. 1).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1340.257 (b) (3) of Maximum Price Regulation No. 122, *It is hereby ordered,* That the maximum prices established by § 1340.261 of Maximum Price Regulation No. 122 for the commodities and transactions listed below be modified as hereinafter provided.

(a) Maximum prices for sales of Bituminous Coal produced in Sub-District 17 of District 17, as defined in the Bituminous Coal Act of 1937, as amended, and delivered in Uintah County, Utah, by persons subject to Maximum Price Regulation No. 122 shall be, with exceptions stated below as follows:

	Per net ton
6" Bituminous lump	$6.00
1½ x 6" Bituminous nut	5.50
1½ x 0" Bituminous slack (oiled)	4.50
1½ x 0" Bituminous slack (raw)	4.25

(1) *Exception.* These prices shall not apply to sales of Bituminous Coal delivered to the purchaser from a mine or preparation plant in a truck or wagon owned by, or subject to the control of the producer of the Bituminous Coal or of a distributor thereof, such sales being subject to Maximum Price Regulation No. 120.

(2) *Exception.* Any seller who has established maximum prices under Maximum Price Regulation No. 122, that are higher than the prices fixed by this Order, may continue to sell at such higher established maximum prices, and the same shall not be modified or superseded by this order.

(b) This order may be revoked, modified or amended by the Price Administrator or Regional Administrator at any time.

(c) Sellers affected by this order shall not change their customary allowances, discounts, or other established price differentials, unless such change results in a lower price.

(d) This order becomes effective November 28, 1942, at 10:00 o'clock a. m.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of November 1942

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-10911; Filed, July 6, 1943; 4:38 p. m.]

[Region VII Order G-2 Under MPR 122]

BITUMINOUS COAL IN BERNALILLO COUNTY, NEW MEXICO

Order No. G-2 issued under § 1340.257 (b) (3) of Maximum Price Regulation No. 122; Order modifying maximum prices for certain bituminous coal sold in Bernalillo County, New Mexico (formerly Order No. 2).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1340.257 (b) (3) of Maximum Price Regulation No. 122, *It is hereby ordered,* That the maximum prices established by § 1340.261 of Maximum Price Regulation No. 122, for the commodities and transactions listed below, be modified as hereinafter provided:

(1) a. Maximum prices for sales of bituminous coal produced in subdistrict 3 of District 18 as defined in the Bituminous Coal Act of 1937 as Amended, and delivered in Bernalillo County, New Mexico, by persons subject to Maximum Price Regulation No. 122, shall be, with the exceptions stated below, as follows:

2" Bituminous Lump ..... $8.50 per ton

b. Maximum prices for sales of bituminous coal produced in subdistrict 9 of District 18 as defined in the Bituminous Coal Act of 1937 as Amended, and delivered in Bernalillo County, New Mexico, by persons subject to Maximum Price Regulation No. 122, shall be, with the exceptions stated below, as follows:

2" Bituminous Lump ..... $8.25 per ton

c. *Exceptions.* I. These prices shall not apply to sales of bituminous coal delivered to the purchaser from a mine or preparation plant in a truck or wagon owned by or subject to control of the producer of the bituminous coal, or of a distributor thereof, such sales being subject to Maximum Price Regulation No. 120.

II. Any seller who has established maximum prices under Maximum Price Regulation No. 122 that are higher than the prices fixed by this order may continue to sell at such higher established maximum prices and the same shall not be modified or superseded by this order.

III. There may be added to the maximum prices established by this order the exact amount per net ton of all railroad freight rate increase actually incurred as a result of the order of the Interstate Commerce Commission of March 18, 1942, in Interstate Commerce Commission ex parte No. 148.

IV. *Adjustment for dealers.* The dealer may add to the price fixed by this order for 2" bituminous Lump coal any increased cost he hereinafter currently pays his supplier for the same solid fuel over the highest cost per ton he paid for such fuel f. o. b. mine or producing facility during the period of December 1942, *Provided, however,* That within ten days after any seller subject to this order has adjusted upward his maximum price for 2" bituminous lump coal upon the ground that a mine cost increase has occurred, he shall report to the Regional Office of the Office of Price Administration the new price so determined, together with a full and complete statement as to the manner in which he computed the same and a written statement by his supplier certifying over his signature that such increase in mine cost has actually occurred.

(2) This order may be revoked, modified or amended by the Price Administrator or Regional Administrator at any time.

(3) Sellers affected by this order shall not change their customary allowances,

discounts or other established price differentials unless such change results in a lower price.

(4) This order becomes effective December 21, 1942, at 12:01 o'clock a. m.

(Pub. Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871)

CLEM W. COLLINS,
Regional Administrator.

DECEMBER 19, 1942.

[F. R. Doc. 43-10914; Filed, July 6, 1943; 4:41 p. m.]

[Region VII Order G-1 Under MPR 376]

FRESH FRUITS AND VEGETABLES IN COLORADO AND WYOMING

Order No. G-1 under section 4 (c) of Maximum Price Regulation No. 376; adjustment of maximum prices for certain fresh fruits and vegetables when sold otherwise than at retail in the States of Colorado and Wyoming.

For the reasons set forth in an opinion issued simultaneously herewith and upon the authority vested in the Regional Administrator of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, *It is hereby ordered:*

(a) *Commodities covered.* This order covers each kind, variety, and type of the following fresh vegetables when grown in or brought into the State of Colorado:

(1) Tomatoes
(2) Snap beans
(3) Carrots
(4) Cabbage
(5) Green peas
(6) Lettuce
(7) Spinach

The fresh vegetables listed above are referred to in this order as the "listed commodities".

(b) *Geographical applicability.* The provisions of this order are limited in their geographical application to the states of Colorado and Wyoming.

(c) *Transactions covered.* (1) In Colorado, this order applies to all sales except those expressly exempted by paragraph (e) hereof.

(2) In Wyoming, this order applies only to sales when the "listed commodities" were grown in Colorado or if not grown there, were brought into the State of Colorado and there re-sold in less then carlots or less than trucklots to a primary distributor or an intermediate seller who re-sells the same in Wyoming.

(d) *Applicability of Maximum Price Regulation No. 376 and other regulations.* Except insofar as the same are inconsistent with or contrary to the terms and provisions of this Order No. G-1, all of the terms and provisions of Maximum Price Regulation No. 376 shall be applicable hereto with like force and effect as though re-written herein. The maximum prices for the "listed commodities" heretofore established by Order No. G-1 under § 1439.253a (c) of Temporary Maximum Price Regulation No. 28, and Order No. G-2 under § 1439.253a (c) of Temporary Maximum Price Regulation No. 28 and § 1439.304 (c) of Temporary Maximum Price Regulation No. 29, are hereby modified in accordance with the provisions of this order.

(e) *Exempt sales.* The provisions of this order shall not apply to the following:

(1) Sales and deliveries at retail which shall continue to be priced under Maximum Price Regulation No. 268, except sales at retail by a grower or by a wayside market stand, which are covered by this order.

(2) Deliveries to the United States or any agency thereof under contract entered into prior to February 18, 1943, (as to tomatoes, snap beans, carrots, cabbage, and green peas) and February 20, 1943, (as to lettuce and spinach).

(3) Sales and deliveries by a farmer of any listed commodity grown on his farm to a country shipper. This regulation shall apply to any sales and deliveries by a farmer directly to wholesalers, retailers, and commercial, industrial and institutional users, except sales and deliveries to processors, such as but not limited to, canners, packers, manufacturers, or dehydrators.

(f) *Prohibition against sales above maximum prices.* On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or deliver and no person in the course of trade or business shall buy or receive any of the "listed commodities" at prices higher than the maximum prices established by this order and no person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices than the maximum price may be charged and paid.

(g) *Definitions.* When used in this order, the term:

(1) "Person" includes individuals, corporations, partnerships, associations, or any legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions or any agency of any of the foregoing.

(2) "Grower" means a person who produces one or more of the "listed commodities".

(3) "Country shipper" means any person, including a grower, who makes sales and deliveries from his farm or country shipping point to any other person and whose sales are covered by the maximum prices set forth in paragraph (p) hereof.

(4) "Carlot or trucklot distributor" means a person other than a country shipper who purchases the "listed commodities" in straight or mixed carlots or in straight or mixed trucklots and re-sells the same in unbroken carlots or unbroken trucklots in a terminal market or other wholesale receiving point.

(5) "Primary distributor" means a person who maintains an established place of business at a terminal or wholesale market and who either by himself or jointly with other primary distributors, purchases the "listed commodities" in straight or mixed carlots or straight or mixed trucklots and breaks the shipment and re-sells in smaller lots without materially changing the form, to intermediate sellers or to retailers. A truck or a truck stand shall not be deemed to be an "established place of business" within the meaning of this order; but a stall in a public market shall be deemed to be such place of business.

(6) "Intermediate seller" means any person (other than a country shipper or retailer) who purchases from a primary distributor any one or more of the "listed commodities" in less than carlots or trucklots for the purpose of re-selling and who takes title and makes sales to any person who is not an ultimate consumer. The term "ultimate consumer" shall not include industrial, commercial, or institutional users (including procurement agencies of the United States or of any State).

(7) "Retailer" means a person who makes sales to ultimate consumers.

(8) "Sales and deliveries at retail" means sales by retailers. Sales to industrial, commercial, or institutional users (including procurement agencies of the United States or of any State) shall not be construed to be sales at retail.

(9) "Country shipping point" means the first place in or near the producing area in the State of Colorado where any one or more of the "listed commodities" is made ready for shipment to any person.

(10) "Cost of transportation" means freight by common, contract, or private carrier not to exceed the lowest common or contract carrier rate for available transportation over a distance of 25 miles or more, and includes charges incurred for pre-cooling, initial icing, and other protective services.

(11) Unless the context otherwise requires, the definitions set forth in Section 13 of Maximum Price Regulation No. 376 shall apply to other terms used herein.

(h) *Maximum prices for country shippers.* Maximum prices for all sales made at a country shipping point shall be the prices specified in the tables set forth in paragraph (p) hereof.

(i) *Maximum prices for carlot or trucklot distributors.* If any person, (1) purchases any one or more of the "listed commodities" in straight or mixed carlots at a country shipping point in Colorado and re-sells the same in straight or mixed carlots in a terminal market or other wholesale receiving point in Colorado or Wyoming; or (2) purchases any one or more of the "listed commodities" in straight or mixed trucklots at a country shipping point in Colorado and re-sells the same in straight or mixed trucklots (without breaking the original trucklots) at a terminal market or other wholesale receiving point in Colorado or Wyoming, the maximum price shall be the maximum price at the country shipping point plus the cost of transportation from the country shipping point to the terminal market or other wholesale receiving point plus a brokerage charge, if actually incurred, not to exceed the broker's maximum service charge as established under § 1499.101 (c) (17) of Maximum Price Regulation No. 165 and duly filed with the proper War Price and Rationing Board.

(j) *Classes of primary distributors and intermediate sellers.* For the purposes of this order, primary distributors

and intermediate sellers shall be divided into the following classes:

CLASS I: *Retailer-owned cooperative seller.* A retailer-owned cooperative primary distributor or intermediate seller is either a nonprofit organization or a corporation, 51% or more of the stock of which is owned by its retailer customers and which purchases and re-sells the "listed commodities" without materially changing their form.

CLASS II: *Cash-and-carry seller.* A cash-and-carry seller is a seller not in Class I who customarily buys and re-sells the "listed commodities" to intermediate sellers, retail stores, or to commercial, industrial, or institutional users without materially changing their form and who does not customarily deliver or extend credit to customers.

CLASS III: *Service seller.* A service seller is a seller not in Class I who customarily purchases and re-sells the "listed commodities" to chain stores, independent retail stores or to commercial, industrial, or institutional users without materially changing their form and who customarily delivers and extends credit to customers.

(k) *Maximum prices for primary distributors.* (1) A primary distributor's "base price" shall be the country shipping point price when the "listed commodities" are grown in Colorado, plus cost of transportation, plus a brokerage charge, if actually incurred, not to exceed the broker's maximum service charge as established under § 1499.101 (c) (17) of Maximum Price Regulation No. 165 and duly filed with the proper War Price and Rationing Board; and when the "listed commodities" are grown outside of Colorado, the "base price" of a primary distributor whose place of business is in Colorado shall be the net cost to him delivered at his customary receiving point when purchased from a customary supplier in straight or mixed carlots or in straight or mixed trucklots, not, however, to exceed the maximum price of his supplier plus cost of transportation, and plus a brokerage charge as hereinabove specified in this paragraph.

(2) The maximum price for any one of the "listed commodities", when sold by a Class I or Class II primary distributor, shall be such primary distributor's "base price" multiplied by 1.095; and the maximum price for any one of the "listed commodities", when sold by a Class III primary distributor, shall be such primary distributor's "base price" multiplied by 1.175.

(l) *Maximum prices for intermediate sellers.* (1) An intermediate seller's "base price" for any one of the "listed commodities", when purchased from a primary distributor, shall be the "base price" of his supplier. In all such transactions it shall be the duty of the seller to furnish the buyer a statement either upon the face of the invoice or by separate instrument, showing the seller's "base price" and how it was arrived at.

(2) The maximum price for any one of the "listed commodities" when sold by a Class I or Class II intermediate seller shall be such intermediate seller's "base price" multiplied by 1.20 plus cost of transportation and the maximum price for any one of the "listed commodities" when sold by a Class III intermediate seller shall be such intermediate seller's "base price" multiplied by 1.29. *Provided, however,* That an intermediate seller who purchases from another intermediate seller shall have for his maximum price the maximum price of the intermediate seller from whom he purchased.

(m) *Maximum prices for sales at retail by a grower or a wayside market stand.* The maximum prices for a grower or a wayside market stand on sales made to an ultimate consumer shall be the country shipping point price multiplied by 1.40.

(n) *Notification by intermediate seller.* Every sale of a "listed commodity" by an intermediate seller to another intermediate seller shall be accompanied by a notification in writing showing the seller's maximum price for such sale.

(o) *What specified markups include.* The maximum markups provided herein for primary distributors and intermediate sellers include all commissions and brokerage charges, if any, and all other items of cost involved in making local deliveries within a seller's customary free delivery zone. Any primary distributor or intermediate seller delivering the "listed commodities" to institutions or retail stores outside his free delivery zone may charge different delivered prices in such other areas or zones in which deliveries are made as follows:

(1) He first determines his delivered price for each area or zone by adding to his prices established by this order an amount not exceeding the average cost of delivery to the institutions or retailers in the area or zone.

(2) In determining the average cost of delivery to the retailers in the area or zone no rate shall be used which is in excess of the lowest common or contract carrier rate for available transportation.

(3) If such a delivery charge is made, the amount thereof shall be included as part of the maximum price established by this order. Before using such area or zone differential, the primary distributor or intermediate seller shall report it in writing to the nearest Regional or State office of the Office of Price Administration having jurisdiction over the seller.

(p) *Maximum prices at country shipping point in Colorado.*

TABLE I—LETTUCE

1. In crates of 4's and 5's, ice pack, for distance shipment	$4.50
2. In crates of 4's and 5's, dry pack, for distance shipment	4.00
3. In crates of 3's, selected heads, sold by farmer to wholesaler, retailer, and/or commercial, industrial, or institutional user	2.25

TABLE II—GREEN PEAS

Per pound in hampers or bags	.10

TABLE III—SPINACH

All varieties (except "Colorado Mountain" spinach which is not covered by this order) in bushel containers, minimum weight 20 pounds	1.40

(q) *Right to revoke or amend.* This order may be revoked, modified, or amended by the Price Administrator or the Regional Administrator at any time.

(r) *Effective date.* This order shall become effective at 12:01 a. m. on the 8th day of June, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of June, 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-10915; Filed, July 6, 1943; 4:41 p. m.]

[Region VIII Order G-1 Under MPR 154]

ICE IN CLARK COUNTY, NEVADA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1393.8 (c) of Maximum Price Regulation No. 154, *It is hereby ordered:*

(a) The adjusted maximum price at which the National Ice and Cold Storage Company of Las Vegas, Nevada may sell ice in Clark County, Nevada shall be as follows:

(1) For sales of ice in carlot quantities where the seller provides for unloading the ice and absorbs the shrinkage, $8.75 per ton.

(2) For sales of ice in less than car lot quantities where the buyer provides for unloading and absorbs the shrinkage, $8.00 per ton.

(b) The adjusted maximum prices for sales of ice by sellers other than the National Ice and Cold Storage Company at wholesale and retail in Clark County, Nevada, shall be as follows:

(1) For sales of ice at wholesale, the adjusted maximum price shall be as follows:

Time of sale	Quantity unit	Adjusted maximum price per cwt.
Delivered	Cubes	$1.60
	Blocks:	
Platform	25-50 pounds	.90
Platform	100 pounds	.833
Platform	150 pounds	.75
Platform	200 pounds	.75
Platform	300 pounds and over	.70
Delivered	25-50 pounds	.90
Delivered	100 pounds	.833
Delivered	150 pounds and over	.75
Delivered	1,000 to 1,999 pounds	.70
Delivered	2,000 pounds and over	.60

(2) For sales of ice at retail the adjusted maximum price shall be as follows:

Type of sale	Quantity unit	Adjusted maximum price per cwt.
Platform	25-50 pounds	$0.90
Platform	100 pounds	.833
Platform	150-200 pounds	.75
Platform	300 pounds and over	.70
Delivered	25-50 pounds	.90
Delivered	100 pounds	.833
Delivered	150 pounds and over	.75

(c) Definitions:

"Wholesale" means sales to restaurants, stores, hotels, dairies, and other commercial users.

"Retail" means sales to ultimate consumers.

"Delivered" means delivery to the premises of the buyer.

"Platform" means customary dispensing point on or near the premises of the seller.

(d) This order may be revoked, amended, or corrected at any time.

(e) This order shall terminate September 15, 1943.

This order shall become effective June 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of June 1943.

FRANK E. MARSH,
Regional Administrator.

[F. R. Doc. 43-10920; Filed, July 6, 1943; 4:43 p. m.]

[Region VIII Order G-3 Under MPR 165 as Amended]

LAUNDRY AND CLEANING SERVICES IN LOS ANGELES AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165 as amended, *It is hereby ordered:*

(a) The adjusted maximum prices which power laundries located in the Los Angeles area as herein defined may charge for family laundry services, and for those industrial laundry and cleaning services which are described in Appendix A attached hereto, shall be those set forth in the said Appendix A.

(1) Except as otherwise expressly provided, the adjusted maximum prices shall be those specified in Column 1 of Appendix A.

(2) In the case of dry wash (fluff dry), semifinish (rough dry), family flat and finished service supplied by American Steam Laundry, 1705 Hooper Avenue, Los Angeles, and Sav-a-Day Laundry, 6101 Santa Fe Avenue, Huntington Park, California, the adjusted maximum prices shall be those set forth in Column 2 of Appendix A.

(3) In the case of dry wash (fluff dry), and semifinish (rough dry) service supplied by Peerless Laundry, 5862 South Main Street, Los Angeles, the adjusted maximum prices shall be those set forth in Column 3 of Appendix A.

(4) In the case of finished service supplied by the following laundries, the adjusted maximum prices shall be those set forth in Column 3 of Appendix A.

Modern Craft Laundry, 900 N. Labrea, Hollywood, California.
Hollywood Laundry, 1020 Lillian Way, Los Angeles, California.
Beverly Hills Laundry, 321 N. Maple Dr., Beverly Hills, California.
California Laundry, 1025 N. Vine, Los Angeles, California.
Craig Laundry, 900 N. Highland Ave., Los Angeles, California.
Peerless Laundry, 5862 S. Main St., Los Angeles, California.
Riverview Laundry, 451 San Fernando Rd., Los Angeles, California.
French Colonial Laundry, 601 S. Figueroa St., Los Angeles, California.

(5) In the case of the service of laundering or cleaning overalls and coveralls supplied by the following laundries, the adjusted maximum prices shall be those set forth in Column 4 of Appendix A.

Welch Overall and Uniform Cleaning Co., 8505 Pasadena Ave., Los Angeles.
Prudential Laundry Company, 850 W. Slauson St., Los Angeles.
California Overall Cleaning Co., 959 E. 31st St., Los Angeles.
Los Angeles Overall Cleaning Co., 2420 E. 58th St., Los Angeles.
Johnson Overall Cleaning Co., North Hollywood.

(6) The adjusted maximum price of a family laundry service which does not conform exactly to the description of *one* of the listed family services in Appendix A, shall be that of the listed service all of whose specifications are met by the unlisted service. Thus, where an unlisted service offers more elements of laundry service than a particular listed service, but does not meet the specifications of a higher-priced listed service, its maximum price shall be that of the lower-priced listed service.

(7) In finished service, starch must be supplied where necessary for proper finishing of wearing apparel (including shirts) unless the customer requests no starch.

(8) In the case of finished service, any power laundry may impose a minimum charge of 50¢ (before discount) for cash and carry customers and a minimum charge of $1.50 for delivery customers.

(9) Any power laundry which customarily allowed a discount for cash and carry service during March 1942 must maintain a discount, the amount of which shall be at least 20% in the case of all laundries not expressly named in this sub-paragraph, 15% in the case of the French Colonial Laundry, 601 S. Figueroa St., Los Angeles, and 10% in the case of the following laundries:

Peerless Laundry, 5862 S. Main St., Los Angeles.
Modern Craft Laundry, 900 N. Labrea, Los Angeles.
Sav-a-Day Laundry, 6101 Santa Fe Ave., Huntington Park.
Beverly Hills Laundry, 321 N. Maple Dr., Beverly Hills, Calif.
Craig Laundry, 900 N. Highland Ave., Los Angeles.

(10) Any item of family laundry service for which no adjusted maximum price is fixed by this order shall be subject to the maximum price established pursuant to Maximum Price Regulation No. 165 as amended.

(b) The adjusted maximum prices which power laundries located in the Los Angeles area may charge for military laundry, washed and dried or washed and returned finished ready for use, shall be the prices set forth in Appendix B attached hereto.

(c) The adjusted maximum prices which any power laundry in the Los Angeles area may charge for commercial and institutional flat work, washed and returned finished ready for use shall be the prices set forth in Column 1 of Appendix C attached hereto except that in the case of commercial or institutional flat work supplied to hotels having 75 rooms or less or to apartment houses having 50 units or less, the adjusted maximum prices shall be those set forth in Column 2 of Appendix C. For the purposes of this paragraph, the term "commercial or institutional flat work" means flat work sold to commercial and institutional users including governmental users.

(d) *Definitions.* For the purposes of this order:

(1) "Los Angeles area" means the city of Los Angeles except the portion thereof lying south of Rosecrans Avenue and the cities of Inglewood, Culver City, Huntington Park and Beverly Hills in the State of California.

(2) "Power laundry" includes all establishments offering laundry services for sale, except such hand laundries as do not use power machinery to wash laundry.

(3) "Ready for use" refers to laundry which has been pressed or ironed by machine, but which need not have been ironed by hand.

(e) Within 30 days after the effective date of this order, each power laundry located in the Los Angeles area and offering family laundering services shall post in its establishment, in a place and manner so that it is plainly visible to members of the public entering the establishment, a placard or other statement stating the adjusted maximum prices applicable to that establishment under this order, and the applicable maximum prices for any other family laundry services offered by the establishment. Within 30 days after the effective date of this order each power laundry in the Los Angeles area shall furnish to each customer a statement describing the family laundry services offered as they are described in Appendix A and stating the maximum prices of each. Similar statements shall be furnished thereafter to new customers.

(f) No power laundry in the Los Angeles area may refuse to supply any laundry service which it supplied in March 1942, if it supplies or offers to supply any higher priced service which includes the same or substantially the same processes (with or without additional processes), as the lower price service; except that a laundry may substitute for any family laundry service supplied in March 1942 which is not described in Appendix A that service listed in Appendix A which most closely resembles it in specifications and price.

This order may be amended, revoked or corrected at any time.

This order shall take effect June 28, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 24th day of June 1943.

FRANK E. MARSH,
Regional Administrator.

APPENDIX A—ADJUSTED MAXIMUM PRICES FOR FAMILY LAUNDRY SERVICES

[Maximum prices]

Column 1	Column 2	Column 3
Damp wash, in which all laundry is washed and returned damp:		
20 lbs. for $1.05 plus 4¢ for each additional lb. If requested, shirts finished for 13¢ each extra.		
Dry wash (fluff dry) in which all laundry is washed, wearing apparel starched if requested and returned dry:		
10 lbs. for 65¢ plus 6¢ for each additional lb. If requested shirts finished for 12¢ each extra.	10 lbs. for 70¢ plus 6¢ for each additional lb. If requested shirts finished for 12¢ each extra.	10 lbs. for 75¢ plus 6¢ for each additional lb. If requested shirts finished for 12¢ each extra.
Semifinish (rough dry) or family flat, in which the wearing apparel, if any, is washed, starched if requested, and returned dry and the flatwork is washed and returned finished, ready for use (hand retouching is not required):		
Flatwork at list price—Wearing apparel:		
Pants, $0.11	$0.11	$0.11.
Overalls, $0.11	$0.11	$0.11.
Coveralls, $0.16	$0.16	$0.16.
Robes, $0.11	$0.11	$0.11.
Sweaters, $0.13	$0.13	$0.13.
Silk and wool pieces, $0.08	$0.08	$0.08.
Painters' jumpers, $0.16	$0.17	$0.19.
Painters' overalls, $0.16	$0.17	$0.19.
Painters' coveralls, $0.21	$0.22	$0.24.
All other wearing apparel pieces, $0.02½	$0.03	$0.03½.
Minimum charge $1.25. If requested, shirts finished at list price.		
Finished service in which wearing apparel, flatwork and specialties are washed and returned finished ready for use (no hand ironing is required):		
Ladies:		
Apron, bib, $0.13	$0.14	$0.20.
Apron, plain, $0.09	$0.09	$0.10.
Apron, bungalow, $0.26	$0.28	$0.37.
Bathrobes, $0.31	$0.33	$0.35.
Bathrobes, silk, $0.36	$0.38	$0.55.
Belts, $0.05	$0.05	$0.06.
Brassiers, $0.13	$0.14	$0.16.
Child's pieces, plain:		
No starch, $0.13	$0.14	$0.19.
Starch, $0.16	$0.17	$0.23.
Dresses, plain, $0.42	$0.44	$0.55.
Dresses, silk, $0.50	$0.53	$0.65.
Hose, $0.10 pair	$0.10 pair	$0.11 pair.
Hose, silk, $0.14 pair	$0.15 pair	$0.15 pair.

	Column 1	Column 2	Column 3	Column 4
Ladies':				
Night dress:				
Plain cotton	$0.21	$0.22	$0.36	
Plain silk	.26	.28	.50	
Nurses' uniform:				
Short sleeves	.35	.37	.52	
Long sleeves	.50	.53	.65	
Silk-rayon	.65	.69	.75	
Pajama pair	.26	.27	.27	
Silk	.36	.38	.54	
Skirts:				
Cotton	.28	.30	.40	
Linen, palm beach	.40	.42	.50	
Slacks	.36	.38	.42	
Slips	.24	.25	.26	
Silk	.31	.33	.35	
Step-in or shorts	.10	.11	.13	
Silk	.15	.17	.21	
Sweaters	.26	.27	.40	
Waists and blouses	.26	.28	.42	
Silk	.34	.36	.50	
Men's:				
Bathrobes	.31	.33	.35	
Caps	.10	.11	.16	
Coats	.26	.27	.32	
Coats, linen, palm beach	.60	.60	.60	
Collars stiff	.05	.05	.06	
Collars soft	.04	.04	.05	
Coveralls unstarched	.35	.35	.35	$0.40
Coveralls starched	.40	.40	.40	.45
Drawers or shorts	.12	.12	.13	
Silk wool	.16	.17	.21	
Frocks-Smocks	.30	.31	.32	
Hose, golf	.18	.19	.22	
Jumpers	.26	.27	.31	
Linen suits	1.04	1.04	1.04	
Night shirts	.16	.17	.22	
Silk	.23	.24	.27	
Overalls unstarched	.26	.26	.26	.30
Overalls starched	.31	.31	.31	.35
Pajama pair	.26	.26	.27	
Silk	.36	.40	.54	
Pants or knickers	.27	.27	.32	
Linen or palm beach	.52	.52	.52	
Shirts	.16	.17	.18	
Shirts dress, silk wool	.29	.32	.35	
Shirts sport	.25	.26	.27	
Socks pair	.07	.07	.08	
Wool silk	.09	.09	.11	
Sweaters	.26	.27	.40	
Sweat shirts	.16	.16	.16	
Undershirts	.11	.12	.13	
Silk wool	.16	.17	.21	
Union suits	.16	.17	.21	
Silk wool	.26	.27	.32	

	Column 1	Column 2	Column 3
Flatwork:			
Bathmat	$0.10	$0.10	$0.10
Blanket, cotton single	.26	.26	.26
Cotton double	.39	.39	.39
Wool single	.52	.52	.52
Wool double	.68	.68	.78
Comforter	.58	.58	.58
Doilies	.06	.06	.06
Flannel blanket	.11	.11	.11
Flour sacks	.03	.03	.03
Hanks	.03	.03	.03
Hanks silk	.05	.05	.06
Laundry bag	.03	.03	.03
Mattress cover	.13	.14	.16
Mops	.10	.10	.10
Napkins	.03	.03	.03½
Pads	.14	.15	.16
Pot holders	.02	.02	.02
Quilts	.43	.45	.52
Rags, greasy	.02½	.02½	.03½
Rugs, bath	.11	.12	.16
Sheets	.08	.08	.08
Scarfs	.09	.09	.11
Shower curtain	.12	.13	.15
Slips	.05	.05	.05½
Spreads, plain	.23	.24	.37
Rayon, chenille	.36	.39	.50
Table cloths under 2 yards	.11	.11	.11
Over 2 yards	.16	.16	.16
Ties	.09	.09	.10
Towels dish	.02½	.02½	.02½
Hand	.03	.03	.03
Bath	.03	.03	.03
Roller	.05	.05	.05
Wash cloths	.02	.02	.02½

APPENDIX B

ADJUSTED MAXIMUM PRICES FOR MILITARY LAUNDRY

Military services, arranged through the Camp Laundry Officer, for the personnel of the Armed Forces, in which Laundry is washed and dried, except that suntan shirts, pants, ties, and field hats are washed and returned finished ready for use. (No hand ironing is required).

Time basis. $2.85 per month per man, or, for periods less than one month, 10¢ per man per day, for a maximum of 30 pieces per bundle per week, including not more than 3 shirts or pants, or fatigue suits, or any combination. Additional shirts, pants or fatigue suits at list price; other pieces at 5¢ each.

	List price
Barrack bag	$0.05
Belt	.03
Caps fatigue	.03
Coat fatigue	.10
Coverall	.19
Field hat	.10
Handkerchiefs	.02
Leggings ——pair	.10
Pajama coat	.06
Pants	.06
Rags or wash cloths	.02
Shirts	.14
Wool	.20
Shorts	.04
Socks ——pair	.03
Silk or wool——pair	.04
Sweat pants	.12
Sweat shirt	.12
Ties	.03
Towel bath	.03
Face	.02
Trousers fatigue	.10
Suntan	.20
Underdrawers	.04
Wool, silk	.06
Undershirt	.04
Wool, silk	.06
Unionsuit	.10
Wool, silk	.12
Minimum charge	.75

APPENDIX C—ADJUSTED MAXIMUM PRICES FOR COMMERCIAL AND INSTITUTIONAL FLATWORK

	Column 1	Column 2
Sheets	$0.04½	$0.05
Slips	.02	.03
Towels	.01½	.01½
Towels, tea	.01½	.01½
All rags	.01	.01½
Bath towels	.02	.02
Napkins	.01	.01½
Spreads, white	.08	.10
Spreads, silk-rayon	.10	.12
Table cloths	.04	.06
Table tops and lunch cloths	.02½	.04
Table pads	.06	.10
Aprons, no starch	.02½	.05
Scarfs, no starch	.02	.03
Bath mats	.02½	.05
Bath rugs	.03½	.05
Shower curtains	.05	.10
Bed pads	.06	.10

Minimum charge $2.50.

VOLUME DISCOUNTS (APPLICABLE TO COLUMN 1)

Dollars volume per month per pick-up and delivery location:	*Minimum discount*
0–50	Net
50–100	5%
100–200	10%
200–400	15%
400 and over	20%

[F. R. Doc. 43-10919; Filed, July 6, 1943; 4:43 p. m.]

[Region VIII Amdt. 2 to Order G-3 Under MPR 329]

FLUID MILK IN SANTA BARBARA AND MARIN COUNTIES, CALIFORNIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, Order No. G-3 under Maximum Price Regulation No. 329 (Purchases of Milk From Producers for Resale as Fluid Milk) is hereby amended as follows:

(a) Paragraph (a) (1) as amended is hereby further amended by striking from said paragraph the area "Santa Barbara County" and the accompanying prices and substituting therefor the following:

Location of dairy:	*Maximum price*
Santa Barbara County—that portion east of the line beginning at the Pacific Ocean thence north along the range line between ranges 33 and 34 west to the line between townships 5 and 6 north, thence east along that line to the range line between ranges 32 and 33 west, thence north along that line to the line between townships 7 and 8 north, thence east along that line to the range line between ranges 31 and 32 west and thence north along that line to the San Luis Obispo County line	$1.02
Santa Barbara County—the remaining portion	.925

(b) Paragraph (a) (1) as amended is hereby further amended by striking from said paragraph the following description of areas "Marin County—that portion lying east of State Highway No. 1 and south of the Point Reyes-Novato Highway" and "Marin County—that portion lying west of the State Highway No. 1 and that portion lying north of the Point Reyes-Novato Highway" and the accompanying prices, and substituting therefor the following:

Location of dairy:	*Maximum price*
Marin County—that portion lying east of State Highway No. 1 and south of the Point Reyes-Novato Highway and all points in Marin County within ½ mile of that area	$0.95
Marion County—remaining portion	.935

This amendment shall become effective July 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of June 1943.

FRANK E. MARSH,
Regional Administrator.

[F. R. Doc. 43-10917; Filed, July 6, 1943; 4:42 p. m.]

[Region VIII Order G-1 Under MPR 333 as Amended]

EGGS AND EGG PRODUCTS IN SPOKANE, WASHINGTON

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1429.63 of Maximum Price Regulation No. 33 as amended, *It is hereby ordered:*

(a) The adjusted maximum price for sales of shell eggs in the city of Spokane in the State of Washington shall be the maximum price for shell eggs as specified in §§ 1429.67, 1429.68, and 1429.69 of Maximum Price Regulation No. 333 as amended for the city of Seattle in the State of Washington.

(b) The city of Spokane shall be deemed a basing point city within the meaning of that term as used in § 1429.67 of Maximum Price Regulation No. 333 as amended.

(c) The term "City of Spokane" means the area within the corporate limits of said city.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective upon its issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of June 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-10918; Filed, July 6, 1943; 4:42 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-55, 37-30]

COMMUNITY GAS AND POWER COMPANY, ET AL.

ORDER REQUIRING SIMPLIFICATION OF HOLDING COMPANY SYSTEM AND RELATED ACTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2nd day of July, A. D. 1943.

In the matter of Community Gas and Power Company, American Gas and Power Company and the subsidiary companies thereof; File No. 59-55 and Public Utilities Management Corporation; File No. 37-30.

The Commission having instituted proceedings with respect to Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, under sections 11 (b) (1), 11 (b) (2), 12 (c), 12 (f), 13, 15 and 20 (a) of the Public Utility Holding Company Act of 1935;

Hearings having been held after appropriate notice, and the Commission being fully advised and having this day issued its findings and opinion herein;

On the basis of said findings and opinion, *It is hereby ordered,* Pursuant to section 11 (b) (1) of said Act, that American Gas and Power Company shall limit the operations of its holding company system by severing its relationships with the companies named hereafter, by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of said Act or the rules, regulations or orders promulgated thereunder, of its direct and indirect ownership, control and holding of securities issued and properties owned, controlled or operated by such companies:

Birmingham Gas Company
Savannah Gas Company
Jacksonville Gas Company
St. Augustine Gas Company
Bangor Gas Company
Lowell Gas Light Company
American Utilities Associates;

It is further ordered, Pursuant to section 11 (b) (2) of said Act, that the steps enumerated below be taken by the companies indicated, in any appropriate manner not in contravention of the applicable provisions of said Act or the rules, regulations or orders promulgated thereunder:

1. That the corporate existence of Community Gas and Power Company be terminated and that said company be liquidated and dissolved;

2. That the existence of American Utilities Associates be terminated and that American Utilities Associates be liquidated and dissolved; and

3. That American Gas and Power Company change its present capital structure consisting of secured debentures, indebtedness owed to subsidiary companies, and common stock, into a capital structure consisting of one class of stock, namely common stock.

It is further ordered, Pursuant to section 12 (c) of said Act and Rule U-100 of the general rules and regulations promulgated under said Act, that American Gas and Power Company shall not acquire, retire, or redeem any of its outstanding debentures (with the exception of debentures held in the treasury of said company at the date hereof) except pursuant to a declaration effective in accordance with the procedure specified in Rule U-23, and that the exemptions provided by paragraphs (b) (4), (5) and (6) of Rule U-42 be and hereby are withdrawn as applied to any future acquisition, retirement, or redemption of any of said outstanding debentures.

It is further ordered, Pursuant to section 13 of said Act, that Post Amendment No. 1 to Application for Approval of Mutual Service Company, filed by American Gas and Power Company and Public Utilities Management Corporation, be and hereby is approved, and that the transactions proposed therein be carried into effect forthwith; and such transactions are hereby declared exempt from section 9 (a) of said Act pursuant

to the provisions of paragraph (b) of Rule U-40, and from the requirements of Rule U-43, paragraph (a), as provided in paragraph (b) (3) thereof.

And *It is further ordered:*

(1) That jurisdiction be and hereby is reserved to the Commission to consider all other issues raised in the Commission's notice and order for hearing of September 24, 1942, with respect to the aforementioned companies and not yet decided, including among others, questions relating to the disposition of the proceeds of any sales consummated pursuant to section 11 (b) (1) of said Act, the corporate structure of Minneapolis Gas Light Company under sections 11 (b) (2), 12 (c) and 12 (f) of said Act, accounts under sections 15 (a), 15 (f) and 20 (a) of said Act, and the continued existence of American Gas and Power Company under section 11 (b) (2) of said Act; and

(2) That the Commission's findings, opinion and order herein shall be without prejudice to the right of the Commission to enter such other and further orders from time to time as the Commission may deem necessary or appropriate to secure compliance by the respondents with the provisions of the Act and the pertinent rules, regulations and orders thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-10890; Filed, July 6, 1943; 2:35 p. m.]

[File No. 811-220]

FOUNDATION INDUSTRIAL ENGINEERING CO., INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of July, A. D., 1943.

Foundation Industrial Engineering Company, Inc., a registered investment company, having filed an application pursuant to the provisions of section 8 (f) of the Investment Company Act of 1940 for an order declaring that it has ceased to be an investment company within the meaning of said Act;

It is ordered, Pursuant to section 40 (a) of said Act, that a hearing on the aforesaid application be held on July 13, 1943, at 10:00 a. m., eastern war time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That William W. Swift, Esquire, shall preside at the hearing on such application. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-10891; Filed, July 6, 1943; 2:35 p. m.]

[File No. 70-757]

INTERSTATE POWER COMPANY

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 5th day of July, A. D. 1943.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Interstate Power Company (Del.), a registered holding company and a subsidiary of Ogden Corporation, also a registered holding company; and

Notice is further given that any interested persons may, not later than July 19, 1943 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application or declaration, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said application or declaration, which is on file in the office of said Commission for a statement of the transaction therein proposed, which is summarized below:

Interstate Power Company (Del.) proposes to settle and adjust the intercompany open account indebtedness of $252,567.59 owed to it by its wholly-owned subsidiary, Interstate Power Company of Wisconsin. In effecting such settlement and adjustment, it is proposed that the said subsidiary pay its parent the sum of $52,567.59 in cash in consideration of the forgiveness of the balance of said account, amounting to $200,000. The said subsidiary will credit its capital surplus in the amount of $200,000 and will use said amount of capital surplus for no other purpose than to absorb adjustments to be made on its books when the original cost of its utility plant is finally determined and approved by the Public Service Commission of Wisconsin.

Section 12 (b) of the Act and Rule U-45 have been designated as being applicable to the proposed transaction.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-10892; Filed, July 6, 1943; 2:35 p. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued July 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Location of project	Issuance date
P-19-h	39055	Shell Pipe Line Corporation, Washington, D. C.	Harris County, Deer Park, Tex.	6-18-43
P-19-e	33842-E	Michigan State Highway Department, Lansing, Mich.	U. S. Hwy. No. 10, Fisher Body Plant near Grand Blanc, Mich.	6-22-43

[F. R. Doc. 43-10872; Filed, July 6, 1943; 11:12 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued July 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Location of project	Issuance Date
P-19-h	79502	A. Smith Bowman Distillery, Sunset Hills, Va.	Sunset Hills, Va.	6-24-43
P-19-h	58757	Amerada Petroleum Corporation, Los Angeles, Calif.	Helm and Riverdale Fields, Fresno County, Helm and Riverdale, Calif.	6-24-43
P-19-h	Plancor 868	Minneapolis-Honeywell Regulator Co., Minneapolis, Minn.	Chicago, Ill.	6-28-43
P-55	1055 77-014-774	John W. Raynor, RFD #2, Horsehead, N. Y.	Butler Ave. at corner Cornell and Butler, Horseheads, N. Y.	6-10-43
P-55	1084 77-014-462	Frank C. Battaglia, 76 North Park, Buffalo, N. Y.	Janet St. between Davidson and Eggert Rd., Buffalo, N. Y.	6-10-43
P-55	1023 77-014-700	Abco Realty Corporation, 2510 St. Paul Blvd., Rochester, N. Y.	Delaware Ave. Avery Ave., Buffalo, N. Y.	6-10-43

[F. R. Doc. 43-10871; Filed, July 6, 1943; 11:12 a. m.]